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OF THE
Notes, Speeches and Debates,
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AND
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Throughout the whole Reign of
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Of Glorious Memory.

Sir Simonds D'Ewes

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QUEEN ELIZABETH IN PARLIAMENT

A. L^d Chancellor. B. Marquises, Earles & C. Barons. D. Bishops. E. Judges. F. Masters of Chancery. G. Clerks. H. Speaker of y^e Com^o. I. Black Rod. K. Sergeant at Armes. L. Members of the Commons house. M. S^r Francis Walsingham Secretary of State.

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Notes, Speeches and Debates,

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Throughout the whole Reign of

Queen ELIZABETH,

Of Glorious Memory.

Collected by that Eminent Member of Parliament;
 Sir SIMONDS D'EWEES, Baronet.

Published

By PAUL BOWES, of the Middle-Temple Esq;

L O N D O N,

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THE LIFE AND TIMES OF SIR SIMONDS D'EWES

"A thin high-flown character of eminent perfection and exactitude,"¹ said the equally high-flown historian, Thomas Carlyle, of D'Ewes. D'Ewes was vain to the point of arrogance; and pedantically punctilious as well, according to other critics. Yet in his person were blended those characteristics expected of England's leaders. It took his brand of arrogance to participate in a revolution; it took his exactitude to prove a revolution's necessity. He was a lawyer when law was deemed the only defense against the tyrannical pretensions of the Stuart kings; he was a strict constructionist when the royal court appeared to take liberties with ancient precedent; he was an antiquarian in an age when intellectuals sought to justify their rebellion through forgotten charters of liberties; and he was a Puritan at a time when resurgent popery was regarded as the greatest evil.

Sir Simonds, whose life neatly brackets the reigns of the first two Stuart monarchs, was born the year before James I became king in 1603 and died the year following Charles I's execution in 1649. He was reared in the Puritan stronghold of Suffolk. Rigorously educated in Greek, Latin, and French before the age of fourteen, he entered Cambridge University by his sixteenth year. He had become thoroughly acquainted with the gossip concerning King James's licentious court, had listened to the mutterings over the king's perpetual badgering of Parliament, of James's rapacity and pro-Spanish sympathies. Like many others of the day, he had come to idealize the past glories of "Good Queen Bess" and believed in the developing myth of a proud English past when subjects' liberties were guaranteed in laws drawn from popular custom. By the time he was called to the bar in 1623, D'Ewes was convinced that only two forces could combat Stuart corruption and absolutism: the high moral rectitude offered by puritanism, and a scholarly dedication to the recovery of England's fundamental laws.

¹Thomas Carlyle, *Critical and Miscellaneous Essays* (London, n.d.), IV, 325-26, 343-45.

In 1623 his life-long addiction to scholarly pursuit began with a study of the copious piles of records deposited in the Tower of London. He rapidly gravitated to the circle of top intellects, notably Sir Robert Cotton and John Selden, and, in 1626, gave up his promising barrister's career in favor of full-time research, intending nothing less than, "if God permit that I be not swallowed up of evil times, to restore to Great Britain its true history—the exactest that ever was yet penned of any nation in the Christian world."² D'Ewes' legal talents had already been recognized at Charles I's court by a knighthood in 1626, and later with a baronetcy. But the new king failed to woo D'Ewes, and though he was invited to many royal functions, he took exception to courtly frivolities. He accepted an invitation to join in such a festivity at Cambridge in 1632, but recorded that while the king and queen "were at an idle play there that gave offense to most of the hearers, I went to Trinity College Library and there viewed diverse ancient manuscripts."³ He ever sought "the raptures and delights of study and knowledge."⁴

When the revolutionary storm broke in 1640, D'Ewes was a member of the Long Parliament. His ardor, as much as his knowledge of the English constitution, made him (at least from his own account) indispensable to the cause against the king. Whatever the case, his lengthy diaries recounting the reforms forced upon the monarch by the Long Parliamentarians constitute our best source of verbatim debate within that august body for the period preceding the English Civil War. As the great historian, Wallace Notestein, explained, "an antiquarian in an age of antiquarianism, D'Ewes came from a Suffolk country house to Westminster at a time when men of his learning were much wanted. Coke, Cotton, and Hakewill were gone, Selden was getting old and loath even to cite precedents. Parliamentary orators in their struggle with the King needed, or thought they needed, continuous supplies of munitions from the parliament rolls. What was to be done must be justified

²*Dictionary of National Biography*, p. 901.

³Michael Walzer, *The Revolution of the Saints* (London, 1966), p. 244.

⁴*Loc. cit.*

from what had been done. Antiquarianism had played and was still playing a great role in affairs. D'Ewes' ability to quote, almost offhand, the records of the past invested him with an immediate importance."⁵

But once the King was routed in the legal and historical contest, there was no longer need for a scholar's talents. The king removed the debate over royal absolutism from the parliamentary floor, where D'Ewes and his fellow lawyer-historians were at home, to the battle field. When the Civil War started in 1642, D'Ewes took increasingly less interest in parliamentary affairs. With the King's defeat and the emergence of the army into politics, D'Ewes all but disappeared from the arena. He was purged in 1648 by the followers of Oliver Cromwell as too moderate and retired to Suffolk where he died in April of 1650.

D'Ewes' double reputation stands on the basis of his edition of Elizabethan parliamentary journals and his own superb diaries of the Long Parliament from 1640 to 1642. Professor Notestein has commented, "no private journal of Parliament during the seventeenth century, or for that matter in any century, can compare in importance with that of Sir Simonds D'Ewes."⁶ In his early years D'Ewes had compiled and studied the work of Queen Elizabeth's parliaments, a task that had attuned his mind to the needs of recording the Long Parliament's deliberations. Notestein concurs, "no man ever came to the task with a better technical equipment. For years he had been collecting in the most antiquarian fashion every bit of information that he could find about Elizabethan parliaments. Those bits he had pieced together into that historical mosaic which remains our best source for the parliaments of the great queen. D'Ewes knew, none better, what complete minutes mean to the historian; he knew that the historian asks, not for summaries, but for details."⁷

Thus the reissue of this edition of D'Ewes' Elizabethan parliaments requires no justification. As Conyers Read noted, it is

⁵*The Journal of Sir Simonds D'Ewes from the Beginning of the Long Parliament to the Opening of the Trial of the Earl of Strafford*, ed. Wallace Notestein (New Haven, 1923), p. x.

⁶*Ibid.*, p. vii.

⁷*Ibid.*, p. x.

“the most valuable source on the parliaments of Elizabeth.”⁸ D'Ewes, a young man barely out of law studies, began his compilation in 1625, when he borrowed “an elaborate journal . . . of the parliament held in the thirty-fifth year of Queen Elizabeth.”⁹ He prowled through the undigested material kept in the Tower of London until he had the entire structure in hand, a marvelous legislative portrait of a time when, for D'Ewes, Parliament worked in harmony with the needs of the nation and policies of the crown. It was not until 1682, however, over thirty years after D'Ewes's death, that his nephew, Paul Bowes, a lawyer, published the entire manuscript. It was a venture so successful that it appeared again in an edition of 1693, the version now reprinted by Scholarly Resources. The work is a monument to the man's genius.

Gerald M. Straka
University of Delaware

⁸Conyers Read, *Bibliography of British History, Tudor Period, 1485-1603* (Oxford, 1933), see D'Ewes citation.

⁹*Dictionary of National Biography*, p. 901.

The several *Days* on which every *Parliament* or *Session* of *Parliament* during the Reign of Queen *ELIZABETH* began, as also the several *Days* of the *Dissolution* and *Prorogation* of the same.

THE *Parliament* held in the first year of Queen Elizabeth began on Wednesday the 25th day of January Anno Domini 1558. and was dissolved on Monday the 8th day of May Anno Domini 1559.

The *Session* of *Parliament* held in the 5th year of Queen Elizabeth began on Tuesday the 12th day of January Anno Domini 1562. and was *Prorogued* on Saturday the 10th day of April Anno Domini 1563.

The *Session* of *Parliament* held in the 8th and 9th years of Queen Elizabeth began on Monday the 13th day of September Anno Domini 1566. and was Dissolved on Thursday the 2. day of January An. 9. Regin. ejusdem.

The *Parliament* held in the 13th year of Queen Elizabeth began on Wednesday the 2. day of April Anno Domini 1571. and was Dissolved on Tuesday the 29th day of May ensuing.

The *Session* of *Parliament* held in the 14th year of Queen Elizabeth began on Thursday the 8th day of May Anno Domini 1572. and was Adjourned on Monday the 13th day of June ensuing.

The *Session* of *Parliament* held in the 18th year of Queen Elizabeth began on Wednesday the 18th day of February Anno Domini 1575. and was *Prorogued* on Thursday the 15th day of March ensuing.

The *Session* of *Parliament* held in the 23. year of Queen Elizabeth began on Monday the 16th day of January Anno Domini 1580. and was Dis-

solved on Friday the 19th day of April Anno Domini 1583.

The *Parliament* held in the 27th year of Queen Elizabeth began on Monday the 23. day of November Anno Domini 1584. and was Dissolved on Wednesday the 14th day of September Anno Domini 1586. Anno 28 Regin. ejusdem.

The *Parliament* held in the 28th and 29th years of Queen Elizabeth began on Saturday the 29th day of October Anno Domini 1586. and was Dissolved on Thursday the 23. of March Anno 29 Regin. ejusdem.

The *Parliament* held in the 31. year of Queen Elizabeth began on Tuesday the 4th day of February Anno Domini 1588. and was Dissolved on Saturday the 29th day of March Anno Domini 1589.

The *Parliament* held in the 35th year of Queen Elizabeth began on Monday the 19th day of November Anno Domini 1592. and was Dissolved on Tuesday the 10th day of April Anno Domini 1593.

The *Parliament* held in the 39. and 40. years of Queen Elizabeth began on Monday the 24. day of October Anno Domini 1597. and was Dissolved on Thursday the 9th day of February Anno 40 Regin. ejusdem.

The *Parliament* held in the 43. and 44th years of Queen Elizabeth began on Tuesday the 27th day of October Anno Domini 1601. and was Dissolved on Saturday the 19th day of December ensuing Anno 44. Regin. ejusdem.

The Names of the *Lord Keeper, Lord Chancellor*, or others who supplied their places as *Speakers* of the House of *Lords* during all the Reign of Queen *ELIZABETH*, as also all the Names of all the *Clerks* of the said House of *Parliament*, together with the Names of the several *Speakers* of the House of *Commons* and *Clerks* of the same House during all the *Parliaments* of the said Queens Reign.

The several Years of her Majesties Reign in which the said Parliaments or Sessions of Parliament were held.

The Names of the Lord Keeper, Lord Chancellor, &c. and of the Clerks of the House of Lords.

The Names of the Speakers of the House of Commons, and of the Clerks of the same House.

IN the Parliament held in the first Year of Queen Elizabeth

In the Session of Parliament held in the fifth Year of Queen Elizabeth
In the Session of Parliament held in the ninth Year of Queen Elizabeth

In the Parliament held in the thirteenth Year of Queen Elizabeth

In the Session of Parliament held in the fourteenth Year of Queen Elizabeth

In the Session of Parliament held in the eighteenth Year of Queen Elizabeth

In the Session of Parliament held in the twenty third Year of Queen Elizabeth

In the Parliament held in the twentyseventh Year of Queen Elizabeth

In the Parliament held in the twenty eighth and twenty ninth Years of Queen Elizabeth

In the Parliament held in the thirty first Year of Queen Elizabeth

In the Parliament held in the thirty fifth Year of Queen Elizabeth

In the Parliament held in the thirty ninth and fortieth Years of Queen Elizabeth

In the Parliament held in the 43 & 44 Years of Queen Elizabeth

Sir Nicholas Bacon Knight, Lord Keeper of the Great Seal of England, whose place was supplied Mar. 4. by the Marques of Winchester Lord Treasurer of England. Francis Spilman Esquire Clerk of the Upper House.

The same Lord Keeper.

The same Clerk.

The same Lord Keeper and his place supplied for divers dayes during his being sick of the Gout, First by the Marques of Winchester Lord Treasurer of England, after by Sir Robert Catlin Knight Lord Chief Justice of the Kings Bench.

The same Clerk, who either died or surrendred his place before the next Parl. began in An. 13 Reg. Eliz.

The same Lord Keeper, and his place supplied for divers dayes during his sickness by Sir Robert Catlin K^t Lord Ch. Justice of the Kings Bench.

Anthony Mafon alias Wilkes succeeded Francis Spilman in the place of the Clerk of the House of Lords.

The same Lord Keeper, and his place supplied in his absence for divers days by Sir Robert Catlin K^t Lord Chief Justice of the Kings Bench.

The same Clerk.

The same Lord Keeper, and his place supplied for divers dayes in his absence by the Lord Burleigh Lord Treasurer of England.

The same Clerk.

Sir Thomas Bromley Knight Lord Chancellor.

The same Clerk.

The same Lord Chancellor.

The same Clerk.

The same Lord Chancellor, and his place supplied for divers dayes during his sickness by Sir Edmund Anderfon Knight Lord Chief Justice of the Common Pleas.

The same Clerk.

Sir Christopher Hatton Knight Lord Chancellor.

The same Clerk.

Sir John Puckering Knight Lord Keeper of the Great Seal of England.

The same Clerk.

Sir Thomas Egerton Knight Lord Keeper of the Great Seal of England.

Thomas Smith Esq; succeeded Clerk of the Upper House to Anthony Mafon alias Wilkes.

The same Lord Keeper.

The same Clerk.

Sir Thomas Gargrave Knight Speaker.

..... Seimour Gent. Clerk of the House of Commons.

Thomas Williams Esq; Speaker.

The same Clerk.

Richard Onflow Esq; the Queens Solicitor.

The same Clerk.

Christopher Wray Serjeant at Law Speaker.

Fulk Onflow Gent. Clerk of the House of Commons.

Robert Bell Esq; Speaker.

The same Clerk.

The same Speaker.

The same Clerk.

John Popham Esq; the Queens Solicitor Speaker.

The same Clerk.

John Puckering Serjeant at Law Speaker.

The same Clerk.

John Puckering Serjeant at Law Speaker again.

The same Clerk from Oct. 29. to Dec. 2. 1589. And the same Clerks Kinsman W. Onflow Gent. from Febr. 15. to March 23. ensuing.

George Snagg Serjeant at Law Speaker.

The same Clerk.

Edward Coke Esq; the Queens Solicitor Speaker.

The same Clerk.

Christopher Yelverton Serjeant at Law Speaker.

The same Clerk.

J. Croke Esq; Recorder of London.

The same Clerk.

THE
P R E F A C E
O F
Sir Simonds D'Ewes
BEFORE THE
E N S U I N G J O U R N A L S
O F A L L T H E

Parliaments and Sessions of Parliament during the Reign of Queen ELIZABETH: Wherein are expressed the several Materials and Authorities out of which the said Journals were extracted and drawn; As also what Method and Form hath been observed in the transcribing of them, together with the excellency and use of them.



I N respect that these ensuing Journals both of the Upper House and House of Commons, during the Reign of that Incomparable Princess, and Virgin Queen, Queen Elizabeth, whose memory will ever remain dear and precious to the Church of God, are Collected and Framed up by my exceeding great pains and diligence out of several Materials, and do contain in them Incomparable *Historical* matters both touching the Church and State, as well as matters of rarity and Precedent incident to the Orders, Priviledges, or Usages of either House; It shall not be amiss shortly to touch those Heads, that so they may serve as a Key for the better Direction and Guidance in the use of the Journals themselves. First therefore I will set down briefly all those Materials out of which I have Collected these ensuing Journals. Secondly, the Method I have constantly observed in the causing them to be Penned or Transcribed. And thirdly, the rich Treasures of rarity and knowledge contained in them.

First, for the Materials out of which I drew these ensuing Journals of either House, they were for the most part rare and invulgar, viz.

1. The Original Manuscript or Journal-Books of the Upper House of every Parliament and Session of Parliament of the Queens Reign, remaining in the Office of the Clerk of the same House; and these are absolute and undeniable Records, and therefore could not be removed out of the said Office, but I was inforced as often as I had occasion to use them, to repair unto the same, to which I had most free and respectful access always offered me

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(as also to the *Bundles of Original Acts and Petitions* reserved there.)

2. A large *Manuscript Abridgment in Folio* of all the said *Original Journal Books* of the *Upper House* during her *Majesties Reign*, very faithfully for the most part collected and transcribed with his own hands by *Robert Bowyer Esquire*, who continued *Clerk* of the said *House* ab an. 6 *Jacobi Regis* until the eighteenth year of the same *King*.

3. The *Original Journal-Book Manuscripts* of the *House of Commons* of every *Parliament* and *Session of Parliament* during her *Majesties Reign*.

4. Another help which I had for the perfecting of these *Journals* were the two *Manuscript Volumes of Fragmentary and Imperfect Journals*, or rather *Collections of the Parliaments and Sessions of Parliament* of *Queen Elizabeth's Reign*, which remained in *Sir Robert Cottons* well known and much famous *Library*, in the said *Years 1629, and 1630.* out of which I had much of the *Speeches of Sir Nicholas Bacon Knight, Lord Keeper of the Great Seal of England.* Out of these also I had passages which did excellently serve to enlarge and beautify some of the *Journals of the House of Commons*, as is fully mentioned in their proper places. In which two *Volumes of Parliamentary Collections* which then remained in *Sir Robert Cottons Library* as aforesaid (who since Deceased on *Friday the 6. day of May, Anno Domini 1631.*) many things being either ignorantly or negligently referred to other times than in truth they belonged unto, are here rectified and enlarged according as the occasion it self required.

5. And another means to enlarge these *Ensuing Volumes* were *Manuscripts* or written *Fragments* I had by me of *Parliamentary Speeches, Petitions* and such like *Passages*, especially touching the *House of Commons*, all which served most fitly in their due places to supply those things and matters in which the *Original Journal-Books* themselves were defective.

6. A further material for the furtherance of this present work was a *Manuscript Treatise* which I had by me Intituled *Modus tenendi Parliamentum apud Anglos*, Compiled especially as I conceive by *Robert Bowyer Esquire*, and afterwards enlarged by *Henry Elsing Esquire*, at this present *Clerk* of the *Upper House of Parliament*, in which were many good *Collections* touching *Proxies, Summons, Receivors and Tryors of Petitions, the Commons Prolocutor*, and other matters incident to the *Passages of the Journals* of either *House*, and those especially gathered out of *Records*; of which *Treatise* there is very much use chiefly made in the two *Journals of the Upper House and House of Commons* in the *Parliament held in An. 1 Regin. Eliz.*

7. And lastly one other unusual or invulgar help for the raising up of this ensuing *Structure* was a *Manuscript Diary* I had in my *Custody* of the greatest part of *Queen Elizabeths Reign* penned by the *Lord Burleigh* first *Principal Secretary* and afterwards *Lord Treasurer*; which said *Diary* did serve very well to the clearing of some things needful to the perfecting of these ensuing *Journals*.

And for *Printed helps* I made especially use of *William Camdens Annals of Queen Elizabeths Reign*, penned by him in a fluent and good *Latine Stile* (the errors whereof in these *Journals* are likewise discovered in their due places) and of the *Printed Books of Statutes* as often as occasion requireth, in which also some errors and mistakings which escaped in them are fully and plainly convicted and rectified.

These foregoing materials both in *Manuscripts* and *Print* I made use of in a general nature for all these ensuing *Journals* more or less.

Now

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Now there were also many *particular helps* I used for several occasions.

And *first* for the *Journals* of either House in *An. 1 Regm. Eliz.* they are all illustrated with so many quotations of all manner of *Records*, that it would be too tedious to discuss or treat of them at large; only it shall here suffice to have given this touch upon it, that such as are most frequently vouched are *Parliament Rolls*, *Patent Rolls* and *Foreign Rolls* kept within the *Tower of London*, all which will best appear in the perusal of them. Where also I had some help out of *two Transcripts*, the one in *Latine*, the other in *French*, of an old *Treatise* intituled *De modo tenendi Parliamentum in Anglia tempore Regis Edwardi filii Etheldredi*.

For sundry *Parliaments* also I had several private *Journals* of the House of *Commons*, in *An. 13 Regm. Eliz.* very imperfect, and another in *An. 35 Regm. ejusdem* moderately exact, each of them taken by some *Member* of the House. Two other I had, the *first* a *Journal* of the *Passages* of the same House in *An. 39, & 40 Reg. Eliz.* exceedingly defective, and the *last* *de an. 43, & 44.* of the same *Queen* stored with excellent matters. Out of all which, not only the *Journals* of the said House of *Commons*, but even of the *Upper House* also of those *Parliaments*, are much augmented. And for the *Lord De la Wares* *Petitions* inserted *verbatim* in the *Journal* of the *Upper House*, *de an. 39, & 40 Regm. Eliz.* I caused it to be transcribed out of the *Bundle of Acts* of that *Parliament* remaining in the *Office* aforesaid of the *Clerk* of the *Upper House*, and carefully examined it thereby.

And thus much shall serve for the *materials* out of which these ensuing *Volumes* were collected and transcribed, which are all of them for the most part so authentick, but especially the *Original Journal-Books* of either House, as there can be no *Exception* against any thing that doth follow out of them.

For the *second* thing, touching the *Method* I have constantly used, it hath been thus. *First* before every *Journal* I have prefixed the just *dayes* or times of the *Beginning*, *Proroguing*, *Dissolving* or *Adjourning* the *Parliament* or *Session* of *Parliament*; and next under it a *Summary draught* of the chief scope or *Argument* thereof, or at least of some special matter that concerned it. I have in like manner placed all actions of the *first day* of the *Parliament*, as *Commissions* of *Prorogation* or *Adjournment*, or the solemn passing of her *Majesty* to the *Upper House*, in the *Journal* of the same, as most properly belonging unto it; as likewise all *Speeches* of that day which passed in the said House, on that day on which the *Speaker* was presented. And I have in the *third* place constantly inserted into the *Journals* of the said *Upper House* also all *Commissions* of note at large, all *Proxies* that were more rare, the *presence* of the *Lords* on some special days, and the names of the *Receivers* and *Tryors* of *Petitions*; and there is no one day on which the House sate and did any thing, but some *Passages* thereof are mentioned.

In the *Journals* of the House of *Commons* also are all things inserted and referred unto their due *dayes*, and I know not any thing that is doubly set down in the two *Journals* of both the Houses in the same *Parliament*, or *Session* of *Parliament*, but only the *Titles* sometimes of such *Bills* as were sent up from one House to another; and that constantly the manner of the *beginning* and *ending* of the *Parliament*, and of the *Presentment* of the *Speaker*, which is largely set down in the *Journal* of the *Upper House*, is shortly touched in the House of *Commons*.

And because I know the *Original Journal-Book* of either House to be more

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judiciously observed, and more to be esteemed than the *Collections* of any private men, therefore I have distinguished by some *Annotation* or *Animadversion* what is taken out of *them*, or what out of any other material whatsoever. Nor are those *Animadversions* of mine own at any time added without some necessary motive, or upon some good ground. Very *Copious* indeed they are in the *two* first *Journals* of the *Upper House* and House of *Commons* in *An. 1 Regin. Eliz.* because all matters of form were to be once for all discussed: In all the other *Journals* they are more succinct and infrequent.

I confess it cost me many days besides other expences to bring these ensuing *Volumes* to that perfection, in which I now enjoy them. In which besides the abundance of the knowledge in this kind especially gained by it, which Sir *Edward Cooke* Knight a Learned Writer of this Age calls *Lex Parliamentaria*, I have as I much desired, done some Honour to the Memory of that Glorious *Queen England's Royal Elizabeth*, in that I have Collected in one body the sum of the agitations of all her *Parliaments*, or at least so much of them as could possibly be gotten, being a work not only singular in respect that I am the sole enjoyer of it, but also because I rest confident that never any other man attempted it, much less brought it to perfection. Which I the rather believe, because when I was one day discoursing with Sir *Robert Cotten* the Prime *Antiquary* of this our Age not long before his Decease, touching the *two* aforesaid *Volumes* he had of the *Journals* of this *Queens Reign*, that I wondred he would treasure up in his Library such Fragmentary and Imperfect stuff, he made me no other Answer, but that he was compelled to store up them, because he knew not how to come by any better. And certainly if this work which I have now by Gods Providence finished, had been performed by any other, it could not have been hid from him who was a very sedulous gatherer, as of other rarities, so especially of *Parliamentary Passages* for about the space of forty Years before his Death.

Touching the *rarities* and *treasures* of knowledge contained in these ensuing *Volumes*, to omit many things, thus much it shall not be amiss to premise, that there may not only hence be gathered whatsoever almost concerns the *Priviledges*, *Customs* and *Usages* of either House, but *Historical matter* also touching the *Church* and *State*; and in the whole frame may be frequently seen the admirable wisdom of her *Majesty* and this her Great Council in the happy quenching of such emergent differences as arose, and in their timely provision against the ambitious *Spaniard*, the restless and irreconcilable Enemy of her *Majesties Religion*, *Person* and *Realms*.

In all *Parliaments* and *Sessions* of *Parliaments* the *Journals* of the House of *Commons* do for the most part much excel those of the *Upper House* in variety and abundance of observable matter, and in their copious and orderly relating each dayes Passages.

I shall not need further to enlarge my self, but here to shut up this present Discourse, this instant *Friday* the 3. day of *February Anno Domini 1631*. That though through Gods Providence I have finished these *Volumes*, which are intended chiefly for my own private use, and my Posterities, yet I have already entred upon other and greater labours, conceiving my self not to be born for my self alone, according to that old saying, *Melius mori quàm sibi vivere*; Or this ensuing Distich:

The PREFACE.

Qui vivat sibi solus, Homo nequit esse beatus.

MALO MORI, nam sic VIVERE NOLO MIHI.

But before I speak further of any future works intended, it shall not be amiss to add somewhat touching the true transcription of these ensuing *Volumes*; for I am not ignorant, that not only the greatest part of our ancient *Manuscripts*, but all new written materials, for want of able Writers, and especially for lack of comparing the new Copy written, with that out of which it was taken, are exceedingly faulty and defective: and therefore it was my care to examine with my own Eye, the presence of the *Lords*, the *Returns* of the *Proxies*, the *Tryors* and *Receivors* of *Petitions*, the *Commissions* and such like entire and most material things.

Neither wanted there just cause of my frequent assistance for the true discovery of the very Hand-writing it self of all the *Journals* of the House of *Commons* during her *Majesties* *Reign*, except of those in the thirteenth, fourteenth, eighteenth and twenty third *Years* of the same *Queen*, which four *Journals* were very fairly written into one Volume in *Folio*; but as for the three first *Journals* of the same House *de An.* 1, 5, & 8 *dictæ* *Regin.* they were written in a hand of that time, and had also many obscure abbreviations in them. And as touching all the other *Journals* of the House of *Commons*, with some part also of the said *Journal* of the twenty third Year of her *Majesties* *Reign*, being entred and bound up together in one *Volume*, they were exceeding difficult to be read, and were certainly the very *notes* taken and entred into the said *Volume* by *Fulk Onslow* Esquire then *Clerk* of the said House during the Continuance of the *Parliament*, or *Session* of *Parliament*. In all which the said *Notes* being written in a fast running hand, and in every Page almost much interlined, and sometimes enlarged by several Additions, disposed into such vacant places as the page afforded, often distant each from other, it required and took up much time to discover, and find out not only what was written, but also how each particular was to be disposed into its due place and order. The like difficulty happened in the transcription of some *Speeches* I had my self by me, being the very *Autographs* or first *Copies* penned by such as spake them, as did evidently appear by their many interlinings. But for all other materials out of which these said *Journals* or those of the *Upper House* were Collected, there was no difficulty at all in reading of them, but only what to collect and insert out of each dayes Passages, and what to omit, as matter not worthy the transcribing.

The chief of the *Works* before mentioned, and by me intended for the publick good, are these ensuing.

A general History of Great Britain from the first *Inhabitants* to the present *Times*, to be drawn especially out of *Record* and other abstruse and exotick *Monuments*, for the reformation of all the *Chronicles* or *Histories* of this kind yet extant, which will require several *Volumes*.

The Survey of *Norfolk*, *Suffolk*, *Essex* and *Cambridgeshire*, out of *Records* or *Original Deeds*.

The Antiquity of the *Municipal* or *Common Laws* of the *Realm* before the *Norman Conquest*, out of *Record* also for the greatest part, or other invulgar materials: To which I have a desire also if my time will suffice for Collection, to add a second part out of the *Itinerant* and *Plea Rolls*, chiefly remaining in the *Treasury* at *Westminster*.

These

The P R E F A C E.

These I have proposed to my self to labour in, besides divers other smaller *works* as well *Theological* as *Moral*, like him that shoots at the Sun, not in hopes to reach it, but to shoot as high as possibly his strength, art, or skill will permit. So though I know it impossible to finish all these during my short and incertain Life, having already entred into the thirtieth Year of my Age, and having many unavoidable imployments and cares of an Estate and Family, yet if I can but finish a little in each kind, it may hereafter stir up some able Judgments to add an end to the whole, in the same way and search I shall have waded in before them. In the mean time I shall always pray as I do sincerely desire, that by all my endeavours God may be glorified, the truth divine or humane vindicated, and the publick benefited.

Sic mihi contingat vivere, Sicque mori.

SIMONDS D' EWES.

The



T O

Sir Willoughby D' Ewes, Baronet.

S I R,



Although none can have so good Title to your Father's Labours as your Self, and the improvement of his Posterity by them was his great desire; yet he did not intend to confine them to his own Family, but his Study tended to the publick good. Amongst those very many and large Volumes Written by his own hand, and his Servants, I made choice thoroughly to revise these Journals, in the Collecting of which, the most indefatigably Industrious Author employed much Time, Labour and Cost, constantly endeavouring to find out the Truth, and faithfully and impartially relating the same. In his own Preface (to which there needs no other to be added) he doth declare his Credentials and Vouchers, and also the Usefulness of the Work. But there are several other good purposes, to which these Journals are very conducive, not particularly mentioned in his Preface: Yet I shall name but two, The one to be a discovery of the true intent and meaning of some Acts of Parliament of those times which are now controverted; The other to be a just representation of that Sincerity, Perspicuity and Unreservedness with which the Members of Parliament then express their Minds and gave their Advice, that there was no difficulty to understand them. The Authority and substantial Excellency of these Collections (especially since the Original Journal Books are not now extant) and their rarity do sufficiently recommend them to all Judicious Persons, and did
* 2 *abundantly*

THE EPISTLE DEDICATORY.

abundantly convince me, that I could do no better service to my Country, nor greater Justice to the Memory of my Worthy Uncle, than to publish this Monument of his Fame ; Nor do I know how duly to express my thankfulness to you otherwise than by this publick acknowledgment ; as of your many other Favours, so in particular for my free access unto, and use of your well stored Library, which hath furnisht me with this opportunity to subscribe my self

Your most Obliged

Humble Servant,

PAUL BOWES.

THE

THE JOURNAL OF THE House of LORDS,

A^o 1^o Regin. Eliz. A. D. 1558 & 1559.

The Journal of the Proceedings of the House of Lords, in the Parliament holden at Westminster, A^o 1^o Regin. Eliz. Anno Dom. 1558. beginning there after one Prorogation of the same on Wednesday the 25th of January, and then and there continued until the Dissolution thereof on Monday the 8th day of May Anno Dom. 1559.



Queen Mary Deceased on Thursday the 17th. day of November, in the year of our Lord 1558. and the Parliament then Assembled in the 6th. and last year of her Reign, thereby immediately Dissolving, the thrice

Excellent and Prudent Princess Queen Elizabeth, according to her right and Hereditary Title, without any opposition or difficulty, King Philip being then very happily absent beyond the Seas, Succeeded to all the Realms and Dominions of Mary her Sister, excepting Callais and those other inestimable places in France, which had been most dishonourably and vainly lost in the time, and towards the end of the Reign of the said Queen, and finding also the Innocent Blood of Gods Saints, shed for the Witness of the Truth, to have stained the former Government with the just Brand and Stigma of persecuting and Tyrannical: And that her Realms and Dominions were much impoverished and weakened; whilst in the mean time her Enemies every where abroad, were encreased not only in Number, but in Strength and Power; She therefore in the very entrance of her Reign well considering and foreseeing that the surest and safest way to Establish the Truth, to abolish all Foreign and usurped Authority, to repair the breaches and weakneses of her said Realms and Dominions, to strengthen her Kingdoms with Shipping and Munition, and to revive the decayed Trade thereof, was by the common advice and Council, and with the Publick assent of the

Body of her Realm, did Summons her first Parliament to begin on Monday the 23th. day of January, having before made and appointed that wise and able Statesman Sir Nicolas Bacon Knight, Lord Keeper of the great Seal of England.

In the setting down of this Journal of the upper House in *An. 1. Reg. Eliz. An. Dom. 1558.* Summoned to begin at the day and place aforesaid; I have caused to be Transcribed many things at large out of the original Journal Book. Some things also of Form I have added to it, which are in the very Original it self omitted in this regard only, because they were but matters of Course, and not much material: yet I was much desirous both in this Journal of the Upper House, and in that also of the House of Commons, in this first year of the Queen, to supply once for all the whole matter of Form, that so I might the better omit it in the following Journals, and have ready recourse hither unto it, being all framed into one Structure or Body. In this Journal of this first year is set down the ground, form, and return of the Writs of Summons, with their usual and common differences, the Commission for Prorogation, and the form of Proroging the Parliament to a further day, The manner of the beginning of the Parliament, with the Sitting of the Lords Spiritual and Temporal, The places of Peers under age, and of Noblemens Sons, their Fathers living and the difference, The whole form *Verbatim* of the Receivers and Tryers of Petitions. And lastly

for what, or by whose Licence, the Lords both Spiritual and Temporal, may absent themselves from the Parliament House, and send their Proxies, the forms of Proxies, the cause of a Vacat, the several observations upon the return of such usual or unusual Proxies, as were this Parliament returned, the returns of which are set down at large, out of the Original Journal Book it self, with divers other things of the like nature, and are digested as the following Passages of this first Parliament of Queen Eliz. into an orderly and exact Journal.

Before the Writs for the Summoning of this Parliament were sent forth, the Queens Majesty did send her Warrant to Sir Nicolas Bacon Knight, Lord Keeper of the great Seal of England, commanding him speedily to cause the said Writs to be made, as in like cases had been formerly accustomed, the usual Form of which Warrant being by Bill Signed, is as followeth.

E *Lizabeth*, by the Grace of God, Queen of England, France, and Ireland, Defender of the Faith, &c. To our right Trusty and right Wel-beloved *Nicolas Bacon* Knight, Lord Keeper of our Great Seal of England, Greeting.

Whereas we by our Council, for certain great and urgent Causes concerning us, the good Estate and Common-wealth of this our Realm, and of the Church of England, and for the good Order and continuance of the same, have appointed and Ordained a Parliament to be holden, at our City of *Westminster*, the first day of *April* next coming, in which case divers and sundry Writs are to be directed forth, under our Great Seal of England, as well for the Prelates, Bishops, and Nobility of this our Realm, as also for the Election of Knights, Citizens, and Burgeesses of the several Counties, Cities, and Burroughs, Towns of the same, to be present at the said Parliament, at the day and place aforesaid.

Whereupon, We Will, and Command you, forthwith upon the receipt hereof, and by Warrant of the same to cause such, and so many Writs to be made, and Sealed under our Great Seal for the accomplishing of the same, as in like Cases hath been heretofore used and accustomed. And this Bill Signed with our own hand, shall be as well unto you, as to every such Clerk and Clerks as shall make and pass the same, a sufficient Warrant or Discharge in that behalf given.

Upon this Warrant the Lord Keeper sends out the said Writs of Summons returnable the 23th day of *January*, being *Monday*, and bearing Date at *Westminster* the 5th day of *December*, in the first year of the Queen, the form of which Writ is as followeth.

E *Lizabetha*, Dei Gratia, Angliæ, Franciæ, & Hiberniæ, Regina, Fidei Defensor, &c. Clarissimo Consanguineo suo, Thomæ Duci Norfolciæ, &c. Salutem, Quia de advisamento & assensu

Consilij nostri, pro quibusdam arduis & urgentibus negotiis, nos, statum, & defensionem Regni nostri Angliæ, & Ecclesiæ Anglicanæ concernentibus, quoddam Parliamentum nostrum apud Civitatem nostram Westmonasterij viceesimo tertio die Januarij proximè futuro teneri ordinaverimus, & ibidem vobiscum & cum Prelatis, Magnatibus, & Proceribus dicti Regni nostri, colloquium habere & tractatum, vobis sub fide & ligeancia, quibus nobis tenemini, firmiter injungendo Mandamus, quod consideratis dictorum negotiorum arduitate, periculis imminentibus, cessante excusatione quâcunq; dictis die & loco personaliter interfitis, nobiscum & cum Prælatibus, Magnatibus & Proceribus prædictis, super dictis negotiis tractatur, vestrumque consilium impensur, & hoc sicut nos & honorem nostrum, & salvationem & Defensionem Regni & Ecclesiæ prædictæ, expeditionemque negotiorum dictorum diligitis nullatenus omittatis. Teste me ipsâ apud Westmonasterium quinto Die Decembris Anno Regni nostri primo.

The Writ to the Archbishop of York (for the See of Canterbury was now void by the Death of Cardinal Pool) was after this Form en suing.

Elizabetha, Dei Gratia, &c. Reverendissimo in Christo Patri, *Nicholao Archiepiscopo Eboracen* &c. And so to the end as it is in the Duke of Norfolk's Writ, unless perhaps after the word *Mandamus*, the words following are, *in fide & dilectione quibus nobis tenemini*, &c. instead of these words to the Temporal Lords, *Sub fide & Ligeancia quibus nobis tenemini*.

The Writs that were directed to the two Marquesses of Winchester and Northampton, and to all the Earls Summoned to this Parliament, differed nothing from that, by which the Duke of Norfolk was Summoned.

The words of the Writs that were directed to any Bishop, this Parliament, were *Verbatim* the same with the Archbishops, only differing in the Style which is set down before their Christian Names, being added in these words, *Reverendo in Christo Patri*, instead of these words inserted into the Writs directed to the Archbishops, *viz. Reverendissimo in Christo Patri*.

The Writs to the Viscounts and Barons are thus directed, *viz. Dilecto & fideli suo Antonio Vicecomiti*, &c. and then all the rest agreeing with the aforesaid Writ set down as directed to the Duke of Norfolk.

The Writs, by which the Judges are Summoned are directed thus, *Dilecto & Fideli suo*, &c. and differ from the Peers Writs in these words (*tractare & Consilium suum impendere*, but not *ordinare*) and the same Style is inserted in the Writs directed to the Queen's Council, and the rest who are to attend in the Upper House.

The Parliament being Summoned to begin, as appeareth by the foregoing Writ set down as directed to the Duke of Norfolk, on the 23th day of *January*, it was upon the said day farther Prorogued, in manner and form following.

Memorandum where the Queen's Majesty by her

her first Writ, Summoned the Parliament to be begun and holden at *Westminster* the 23. day of *January*, as by the same Writ bearing Date at *Westminster* the 5th. day of *December* in the first year of her Reign it more plainly appeareth. Her Highness upon certain great and weighty Causes, and considerations, her Majesty especially moving, by the advice of her Privy-Council, and of her Justices of both her Benches, and other of her Council Learned, did Prorogue and Adjourn this said Parliament until *Wednesday* now next following, being the 25th. day of this instant Month, by vertue of her Writ Patent Signed with her own Hand, Sealed with her Great Seal, bearing Date the 21th. day of this present Month, whereupon at this said 23th. day of *January*, the Lord Keeper of the Great Seal with divers others her Lords and Counsellors, repaired to the Parliament Chamber commonly called the Upper House, and there in the presence of the whole Assembly of the Lords Spiritual and Temporal, the Knights, Citizens, and Burgeses Summoned to the same Parliament, did open and declare, that the Queens Majesty, whose preservation in Health giveth safety and surety to the whole Publick Wealth, not feeling her self in good Disposition of Body, nor unmindful of the Peril that by her too much boldness, by coming abroad might ensue, sent for the Lord Keeper of the Great Seal, the Lords and others of her Highness Council, unto whom she declared her Estate, and the fear she had to adventure going to Parliament this said prefixed day being the 23th. day of *January*, requesting them to signifie her Estate unto the Assembly, and that by vertue of the said Writ of Prorogation she had Prorogued her said Parliament from the first said Summoned day, until the 25th. day of the same Month. All which matters being notified to the said Assembly according to her Highness request and pleasure, the said Writ for the said Prorogation in the presence of that Assembly was there then read, by the Clerk of the Upper House publicly and openly, the Tenor whereof ensueth *Verbatim*.

E *Lizabetha, Dei Gratiâ, Angliæ, Franciæ, & Hiberniæ, Regina, Fidei Defensor, &c. prædilectis & fidelibus nostris Prælati, Magnatibus, & Proceribus Regni nostri Angliæ, ac dilectis & fidelibus nostris Militibus, Civibus & Burgensibus dicti Regni nostri ad Parlamentum nostrum apud Civitatem nostram Westmonasterij 23. die instantis Mensis Januarij inchoand' & tenend' convocat' & elect' & eorum cuilibet Salutem. Cum nos, pro quibusdam arduis & urgentibus negotiis nos statum & defensionem dicti Regni nostri Angliæ, & Ecclesiæ Anglicanæ concernen' dictum Parlamentum nostrum ad diem & locum prædictum teneri ordinaverimus ac vobis per sepe alia brevia nostra apud Civitatem & diem prædict' interesse Mandaverimus ad tractand' assentiend' & concludend' super his quæ in dicto Parlamento nostro tunc & ibidem proponerentur & tractarentur.*

Quibusdam tamen certis de causis & considerationibus nos ad hoc specialiter movend' dictum Parlamentum nostrum usq; 25. diem hujus instantis Mensis Januarij duximus prorogand' ita quod nec vos, nec aliquis vestrum ad dictum 23. diem Januarij apud Civitatem prædictam comparere teneamini, seu arctemini; volumus enim vos & quemlibet vestrum; inde erga nos penitus exonerari Mandantes & tenore presentium firmiter injungendo precipientes vobis & Cuilibet vestrum ac omnibus aliis quibus in hac parte intererit, quod ad dictum 25. diem Januarij apud prædictam Civitatem Westmonasterij personaliter compareatis & interfitis, & quilibet vestrum compareat & intersit ad tractand', faciend', agend', & concludend', super his quæ in dicto Parlamento nostro de Communi concilio dicti Regni nostri favente domino contigerit ordinari. Teste me i. s. a. apud Westmonasterium 21. Januarij Anno Regni nostri primo.

This day also although the Parliament begun not, nor any Peers sate in the Upper House, but the Lord Keeper and some others of either house met only in the Parliament Chamber to Prorogue the Parliament until the 25th. day of this instant Month as aforesaid, were divers Proxies returned from many of the Lords both Spiritual and Temporal, who in their absence did Constitute others of the said Upper House to give their voices for them. And because no Lord could be absent, without Licence from her Majesty first obtained during this Parliament, it will not be impertinent amongst other matters of Course, to set down the form of the said Licenses, which were as followeth.

Right Trusty and Wel-beloved, We Greet you well, Whereas we are informed that by reason of Sicknes, you are not able to make your repair hither to this our Sessions of Parliament, to be holden at *Westminster*; We have thought good by these our Letters to dispense with you for your absence, and do License you to remain still at home for this time. So nevertheless that you send up your Proxie to some such Personage, as may for you, and in your name give his voice, assent, or denial to such matters as shall be Treated and Concluded upon in our said Parliament, and these our Letters Patents shall be your Warrant in this behalf. Given under our Signet at our Palace at *Westminster* the first day of *January* in the first year of our Reign.

Upon the obtaining and receipt of this aforesaid Licence from her Majesty, granted to every absent Lord in particular, they sent their several Proxies, of which the first that was returned this day was the Proxie of *William Lord Dacres*, which said Proxie is entred in the beginning of the Original Journal Book, remaining with the Clerk of the Upper House, in manner and form following.

23. *Januarij Introductæ sunt Literæ procuratoriae Willielmi Domini Dacres qui procuratorem suum constituit Anthonium Vicecomitem Mountacute.*

This Proxie was delivered to the Clerk of the Parliament, or to his Servant or Deputy; for the Course (as I suppose) hath been, and is at this day, that the Proxie may be delivered either in or out of Parliament, And the Delivery thereof is good, only the Clerk of the Upper House doth usually Register or enter the same in the beginning of the Journal of that Session or Parliament, with the direct day of the Month on which he received it, and sometimes sets not the day down, the form of which Proxie may be conjectured to have been as followeth.

Omnibus Christi Fidelibus ad quos hoc presens scriptum pervenerit Willielmus Dominus Dacres Salutem. Noveritis me prefatum Dominum Dacres per Licentiam Serenissimæ Dominae nostræ Reginae a presenti hoc suo Parlamento tent' & inchoat apud Westmonasterium &c. sufficienter excusatum abesse, nominare, ordinare, & constituere dilectum mihi in Christo & honorandum virum Anthonium Vicecomitem Mountacutum meum verum, certum, & indubitatum factorem, actorem, Atturnatum, seu procuratorem per presentes; eidemque procuratori meo dare & concedere plenam Auctoritatem, & potestatem, pro me, & nomine Meo, de, & super quibuscunq; causis & Negotiis in Presenti hoc Parlamento exponendis, seu Declarandis tractandi tractatibus, achujusmodi, mihi factis, seu faciendis consilium & auxilium nomine meo impendendi Statutisq; etiam & ordinationibus, quæ ex Maturo & deliberato Judicio Dominorum tam Spiritualium quam Temporalium in eodem Parlamento Congregator' mactari seu ordinari contigerint nomine meo consentiendi eisdemq; si opus fuerit, subscribendi cæteraq; omnia et singula quæ in premissis Necessaria fuerint seu quomodolib' requisita faciendi et exercendi in tam amplis Modo et forma, ut ego ipse facere possem, aut deberem, si præsens personaliter interesssem, Ratum et gratum habiturus totum et quicquid procurator' meus statuerit, aut facerit in premissis; in cujus rei testimonium presentibus subscripsi Sigillumque apposui dat' &c. Anno Regni Dictæ Dominae nostræ Elizabethæ Dei Gratia Angliæ Franciæ & Hiberniæ Regina, Fidei Defensoris &c. Primo.

Here under the Proxie is usually the name of the Lord that sendeth it Subscribed.

Note, that this is not the direct Copy of the Proxie sent by the Lord Dacres, but only his name added unto it, being set down according to the form, observed both in these times, and in ours which have since followed; for if these Lords, who do constitute Proctors, have their Proxies drawn by the Clerk of the Parliament's direction, which is the best and most usual course, then are they always drawn in manner and form aforesaid.

But if any Lord, by reason of his far distance from the place where the Parliament is held, or by some other occasion, doth make his own Proxie, then the form doth usually differ from that which is before set down, and is in manner and form as followeth, to which I have added the name of the Bishop of *Peterborough*, because the Spiritual Lords do most usually venture to make their own Proxies, and because the said Bishops Proxie is entred the 23th. day of *January* in the Original Journal Book of this first Parliament of the *Queen*, next after the Proxie of the Lord Dacres before set down, the entrance whereof is as followeth.

23. *Januarij Introductæ sunt literæ procuratoriae David Episcopi Petriburgi qui procuratores suos constituit Nicholaum Archiepiscop' Eboracen' Edmund' Episcop' London, & Radolph' Episcop' Coventr' & Litch.*

This Proxie that followeth being of a new form, and different from that which is before set down, is here added, as sent by the Bishop of *Peterborough*, for the reason above expressed.

Pateat universis per presentes, Quod ego David permissione Divina Peterburgen' Episcopus Licentia Regia in ea parte prius obtent' Necnon diversis Arduis impeditus & detentus Negotiis, quo minus in presenti Sessione Parliamenti hujus inclyti Regni Angliæ personaliter comparere debit' præstare obsequium ac in ea parte inservire Valeam, Reverendissimum in Christo Patrem Nicholaum, providentia divina Eboracen' Archiepiscopum totius Angliæ Primati & Metropolitano et Reverendos in Christo Patres Edwardum Episcop' Londinen' & Radolph' Episcop' Coventr' et Litch' et eorum utrumq; conjunctim et divisim, meos veros, legitimos actores, factores, atturnatos, et procuratores facio et constituo; eisdemque procuratoribus meis, et eorum utriq; conjunctim et divisim plenam in Domino do et concedo Auctoritatem, et potestatem, per me, et in nomine meo, in dicta presenti Sessione Parliamenti compend' et de, et super quibuscunq; Negotiis in eadem presenti Sessione Parliamenti exponend' declarand' et tractand' tractatibus hujusmodi mihi fact' seu faciend' consilium nomine meo impendend' Statutisq; etiam & ordinationibus, quæ ex maturo et deliberato judicio Dominorum, tam Spiritualium quam Temporalium, in eadem presenti Sessione Parliamenti congregat' mactari, seu ordinari contigerint, nomine meo consentiend' cæteraq; omnia singulaq; in premissis, seu circa ea necessaria fuerint seu quomodolibet requisita faciend' perimplend' & exercend' in tam amplis modo et forma, ut ego ipse facere possem, et deberem, si presens Personaliter interesssem, Ratum et Gratum habens' et habitur' totum et quicquid procuratores mei prædicti statuerint aut fecerint, seu alter eorum statuerit aut fecerit in premissis. In cujus Rei testimonium. Sigillum meum magnum et Episcop' presentibus apponi, feci, dat' etc' Anno Domini Millesimo Quingentesimo Quinquagesimo Octavo.

I do observe it to be very usual, (yet not always observed) in the return of Proxies, to suppose the Parliament to be begun, although they be returned sometimes before it begins, as these, and divers others which now follow (according to the entrance of the returns of them) were in this first Parliament of the Queen. Besides, the said Proxies are many times Dated divers days, nay weeks, before the first day on which the beginning of it is limited by the Summons: by which means it may also fall out, that if there be any Prorogations, the said Proxies may be both Dated and returned many Months before the Parliament do hold, but the reason, I conceive, of this Clause in every Proxy, may be, because, before any use can be made of it in the Upper House, or that be called for, the House must of necessity be set, and be in agitation of Business, and then the Course is, if any thing come to the Question, the Clerk of the Parliament, or his Deputy, is to search the Journal Book, to see whether such Lords as give their Voices, for others that be absent, be indeed nominated, and appointed their Proctors.

This same day were many other Proxies both usual and extraordinary returned, of which, and of the nature and forms of Proxies, more shall be presently said, after the setting down of the return of the said Proxies, inserted at the beginning of the Original Journal Book of this first Parliament of the Queen, in manner and form as followeth.

Eodem die (viz. 23. die Januarij) *Introductæ sunt Literæ procuratoriæ Johannis Domini Mordant, in quibus procuratores suos constituit Henricum Comitem Arundel, et Franciscum Comitem Bedford.*

Vacat. Eodem die introductæ sunt Literæ procuratoriæ Thomæ Tresham prioris Sti. Johannis Jerusalem in Anglia, qui procuratorem suum constituit Nicholaum Archiepiscopum Eboracen.

Eodem die introductæ sunt Literæ procuratoriæ Willielmi Domini Paget, qui procuratores suos constituit Henricum Comitem Arundel & Franciscum Comitem Bedford.

Eodem die introductæ sunt Literæ procuratoriæ Cuthberti Episcopi Dunelmen, qui procuratorem suum constituit Archiepiscopum Eboracen.

Eodem die Introductæ sunt Literæ procuratoriæ Johannis Comitiss Bathon, qui procuratorem suum constituit Henricum Comitem Rutland.

Eodem die Introductæ sunt Literæ procuratoriæ Georgij Domini Zouch, qui procuratorem suum constituit Franciscum Comitem Bedford.

Eodem die Introductæ sunt Literæ procuratoriæ Henrici Domini Aburgavenæ, qui procuratorem suum constituit Franciscum Comitem Bedford.

Eodem die Introductæ sunt Literæ procuratoriæ Thomæ Episcopi, Ely in quibus procuratores suos Constituit Nicholaum Archiepiscopum Eboracen, Episcopos Cestren et Lincoln. And Note that the Christian Names of these two Bishops are omitted in the original Entrance.

Introductæ sunt Literæ procuratoriæ Willielmi Domini Burgh, in quibus procuratorem suum constituit Edwardum Dominum Clinton, Admirallum Angliæ.

Introductæ sunt Literæ Procuratoriæ Edwardi Domini Windsor, in quibus procuratorem suum constituit Edwardum Dominum Clinton, Admirallum Angliæ.

Introductæ sunt Literæ procuratoriæ Willielmi Domini Euers, in quibus procuratorem suum constituit Edwardum Dominum Clinton, Admirallum Angliæ.

Introductæ sunt Literæ procuratoriæ Gilberti Episcopi Bathen & Wellen, qui procuratores suos constituit Nicholaum Archiepiscopum Eboracen, Edmund London, et Davidem Petreburgen, Episcopos.

Introductæ sunt Literæ procuratoriæ Henrici Episcopi Meneven in quibus procuratores suos constituit Nicholaum Archiepiscopum Eboracen, ac Davidem Petreburgen, Episcopos.

The Proxies introduced this day, and entred in the beginning of the Original Journal Book of the Upper House, as the constant use is, are referred by me always to those days on which they were entred to have been returned, unless it be in such Journals, where the day of the return is not entred, as in the Original Journal Book, A. 39. *Regin. Eliz.* from which time to this day, the same Course hath been observed.

And because I have desired to make up a work somewhat exact and perfect, of the Journals of the Reign of this most Gracious Queen, and once for all to make some Animadversions upon all matters of form in this Journal of her Majesties first Parliament, that so all other may be referred unto it, therefore I shall now add a little, touching the nature, kinds, and use of Proxies, as I have set down before, touching the Writs of Summons.

A Proxy therefore is no more than the constituting of some one or more, by an absent Lord, to give his Voice in the Upper House, when any difference of Opinion, and Division of the House, shall happen, for otherways, if no such Division fall out, it never cometh to be questioned, or known to whom such Proxies are directed, nor is there any the least use of them, save only to shew, prove, and continue the Right which the Lords of the Upper House have, both to be Summoned, and to give their Voices in the same House, either in their Persons, or by their Proxies; And when the Voices of that House are to be divided, then the Clerk of the same, if he be present, or his Deputy, gives notice of such Proxies, as have been introduced and delivered unto him, and to whom they are directed, that they may give them accordingly. And as many Proxies as any Peer hath, so many voices he hath besides his own, and if there be two or three Proxies constituted by one absent Lord, as is frequent, then always the first named in the same is to give the

the Voice if he be present, and if absent then the second, *et sic de reliquis*.

It is plain by that ancient Manuscript Intituled, *Modus tenendi Parliamentum*, of which I have a Copy both in French and Latin, *Cap. de inchoatione Parl.* that if a Peer neither came to the Parliament, nor sent a Proxie upon his Writ of Summons he forfeited 100 l. if an Earl 100 Marks, if a Baron which was after qualified, viz. *Rotulo Parliamenti A. 31. H. 6. Num. 46.* And a Duke for such default was fined 100 l. an Earl 100 Marks, and a Baron 40 l.

And it is plain, that Anciently the Lords Spiritual and Temporal were often absent without the King's Licence, and did then only send the Expression of the Cause of their said absence, in their said Proxies, as did the Abbot of Selby. *A. 26. Edw. 3.* as appears, *ex Registro ejusdem Abbas'* alledging only this reason, *Quia impedimentis variis et arduis Negotiis concernentibus reformationem status Domus nostræ simus multipliciter impediti &c.* and so likewise in *A. 36. H. 8.* the Cause of the Abbot of Shrewsburies absence is thus expressed in the Original Journal Book of the Upper House, *A. eodem 20. die Parliamenti relatum est Quod Abbas Salop' gravi infirmitate detinetur quod hic interesse nequit, ideo constituit procuratores suos Episcopum Coventr' et Litch' et Comitem Salopiæ conjunctim et divisim*, but always then the Proxies were directed to the King, and did in truth contain in them as well supplication for his Pardon of their absence, as a Constitution of their Proctors, as doth plainly appear by this Proxie following, of the Abbots of Thorney, which I have the rather inserted at large, because the very Original it self under Seal remaineth with me amongst many other pretious Originals in my Library.

EXcellentissimo Principi et Domino suo singularissimo Domino Henrico Dei Gratiâ Regi Angliæ et Franciæ, ac Domino Hiberniæ, suis humilissimus et Devotus Robertus Dei patientia divina Abbas Monasterij beatæ Mariæ sanctiq; Botolphi de Thorney subjectionem, et fidelitatem omnimodas cum orationibus assiduis et devotis ad comparand' pro me et nomine meo, in Parlamento vestro coram vestra regia celsitudine vicesimo die Mensis Januarij prox' futur' post datum presens apud Westm' favente gratia Spiritûs sancti feliciter inchoand' Nè personali comparitione in eodem penes vestram regiam celsitudinem quoties opus fuerit excusand' precipue pretextu adversæ valetudinis nostræ cæterisq; ex causis justis veris et probabilibus quod interesse non valemus prout affectamus: Quapropter vestræ Regiæ humiliter celsitudini supplicamus quatenus absentiam nostram personalem in hac parte excusatam gratiose dignetur habere vestræ Clementia Majestatis, et ut vestro Mandato in quantum possumus in omnibus pareamus, Reverendos in Christo Patres Sancti Albani Sti' Edmundi de Bury, Sti' benedicti de Ranisy, et Sti' Gutlaci de Coland' Abbates conjunctim et divisim, et eorum quemlibet nostros veros, et Le-

gitimos procuratores Attornatosq; fideles tenore presentium constituimus et ordinamus, promittens me ratum gratum et firmum perpetuo habiturum quicquid prædicti pro me, et nomine meo, fecerint vel alter fecerit in premissis seu aliquo promissor' vestræ Regiæ celsitudini humiliter supplico quatenus absentiam meam personalem hac vice ex Regia mansuetudine habere dignemini gratiose excusatam. In cujus Rei testimonium Sigillum nostrum Commune present' est appensum Dat' apud Thorney prædict' decimo quarto die Mensis Januarij An. Regni Regis Henrici Octavi Quinto.

Sometimes also the said Sicknefs, or cause of Absence is Testified by Oath, as appears in the Original Journal of the Upper House, *A. 6. H. 8. Feb. die 12.* where James Marshal servant to the Lord Scroop made Affidavit of his Lord's detention by Sicknefs.

But even Anciently, if the Parliament were to be Assembled by reason of some great and extraordinary occasion, And that the King declared in his Writ of Summons, that he would not admit of any Proxies *ista vice*, then none did presume to send them, but upon the King's Licence first obtained, as appears, *ex Rotulo Parliamenti A. 6. Ed. 3. die 27. Januarij A. 22. Ed. 3. die 20. Novemb. A. 6. Ric. 2. die 2. Jan. et A. 11. Ric. 2. die 20. Martij.*

But of later times, since the 38th. year of H. 8. the Lords in their very Proxies, do express their absence to be by the King, or Queen's Licence, and oftentimes the Clerk of the Upper House doth insert the Memorial of their return, with their expression of their absence by the said Licence. And in making of Proxies it hath always been at the free Choice and Election of a Spiritual Lord, that sent the said Proxie to constitute some other Spiritual Lord, or a Temporal Lord, or both, and so likewise *mutatis mutandis* hath the liberty been of a Temporal Lord, although there appears but three Presidents thereof, during her Majesties Reign, of which, the first was in *A. 5. Regin. Eliz.* where William Bishop of Exeter, constituted for his Proctor Francis Earl of Bedford. And the second in *A. eodem Regin. ejusdem*, where Thomas Archbishop of York Constituted the Earl of Bedford his joynt Proctor with Richard Bishop of Ely, and Rowland Bishop of Bangor. And the third and last in *A. 28. & 29. Regin. prædict'*, where Hugh Bishop of Bangor did Constitute William Lord Burleigh Lord Treasurer of England his joynt Proctor with John Archbishop of Canterbury, but in former time the Presidents of this nature, are more frequent.

For there was so little observation kept in this kind, as sometimes the Lords Spiritual, and Temporal did Constitute the Judges and Barons of the Exchequer, being but attendants on the House, for their Proctors, and sometimes Strangers, as the Abbot of Selby in Edward the third's time Constituted John Goldale, a Monk of that house, and William R. Clerk his Proctors, and these

these also were sometimes appointed Tryers of Petitions joyntly with the Lords, as appears *A. 14. Ed. 3.* and sometimes Committees with the Lords, *prout patet ex rotulo Parliam' de A. 14. Ed. 3. N. 13. 14. & 18.*

These Animadversions being thus premised of Proxies in general, now follow some others that concern the Particular Proxies foregoing, and the residue that were returned at this Session, on *Saturday* the 4th. day of *February* ensuing, and on *Wednesday* the 8th. day, and on *Saturday* the 18th. day of *March* following, and on *Tuesday* the 4th. day of *April* ensuing.

And therefore in the first place, it shall not be amiss to make remembrance, that in the Journal of this Parliament, I have caused the entry of all Proxies whatsoever, as well ordinary as extraordinary to be Transcribed, because it is the first Parliament of her Majesty, whereas in most of the residue, I have only caused those to be inserted into my Journals, which were extraordinary and unusual.

And whereas the word (*Vacat*) is added at the beginning of the entrance of the return of the Proxie of *Thomas Tresham* Prior of *St. Johns of Jerusalem* in *England*, as also before that of *William Lord Ewers*, which are before, amongst others set down. The reason of the first I cannot possibly Guess, because neither the Archbishop of *York*, to whom the said *Thomas Tresham* had sent his Proxie, was himself absent, nor the said Prior present, nor dead before the return of his said Proxie, as may easily be gathered; but for the other, it is plain that the Lord *Clinton*, whom the Lord *Ewers* did Constitute for his Proctor, was absent at the beginning of this Parliament, and did himself send his Proxie, which is entred at the beginning of the Original Journal Book of the Upper House, to have been returned on *Saturday* the 4th. day of *February*, although the word (*Vacat*) be prefixed also before the entrance of the return of the same, because he afterwards came to the Parliament himself, and served in Person in the Upper House, the greatest part of the continuance thereof, and from these examples may be gathered the true Causes, both why, and when a Proxie that is returned becometh void, either when the Peer, or Lord that sends the Proxie dies himself, or comes to the House in Person before the end of the Parliament, or that the Proctor or Proctors, whom he constitutes, do die, or be otherwise absent, and send their Proxies themselves; for in this latter case, those Proxies are to be repealed by the Lord Chancellor, as there is a President for it in the end of the Original Journal Book of the Upper House, *A. 33. et 34. H. 8.* in the case of *Nevil Lord Latimer*, for though the absent Lord, or Lords, to whom the Proxie is directed, do constitute other Proctors, yet they cannot execute such Proxies as are directed unto him: for a Proxie is but an Authority to give another man's assent, which cannot be transferred to a third person;

yet doth the sending of one Proxie sufficiently excuse any absent Lord, although the Peer, to whom it is directed, be not present himself, but as soon as that absent Lord shall have notice that he, or they, whom he constituted for his Procurators, do themselves send their Proxies also, by reason of their absence, then may he send another Proxie, and constitute one other or more Proctors for himself and in his stead, to give his voice *de Novo*, as the Lord *Vaux* did in *A. 18. Jacobi Regis*.

After those Bloody and Intestine Civil Wars, which had been raised in *England* in the year 1642. and that *Robert*, Earl of *Essex*, General of the Forces raised by the two Houses of Parliament against the King, had (by the Power of the Independent Faction, over ballancing those, who desired the settling of the Presbyterian Government) been laid aside, and Sir *Thomas Fairfax* Knight placed in his Room; the opposition between those two Parties in either House of Parliament, growing every day higher and higher, the Aged Earl of *Mulgrave*, being an Enemy to all Faction and Innovation, was much troubled that *William Viscount Say and Seale*, the chief Promoter of the Independent Novelties, did make use of his Proxie for the acting and passing those particulars, which were contrary to the Judgment and Conscience of him the said Earl of *Mulgrave*: And therefore, my advise being desired by some of the Members of the House of Commons, for the reminding him thereof, I drew the Letter and Instrument ensuing, being not only the first, but the sole President also of this King, which yet remains upon Record in the Office of the Clerk of the House of Peers.

To the Right Honourable, the Speaker of the House of Peers, *pro Tempore*.

My very good Lord, I am humbly to request of your Lordship, to communicate this my present Instrument, under my hand and Seal to the House of Peers, that it may be publickly there Read, and remain upon Record in the Office of the Clerk of the same House:

Kenzington.
April 1646.

*I am
Your Lordships humble Servant.*

TO all Christian People to whom these presents shall come, *Edmund* Earl of *Mulgrave*, Greeting. Know Ye, that Whereas I the said *Edmund* Earl of *Mulgrave*, have formerly constituted the Right Honourable *William Viscount Say and Seale*, &c. my lawful Actor, and Procurator for me, and in my name, to give my Voice and Suffrage upon all such emergent Occasions, as the same shall be requisite, by the ancient Orders and Constitutions of the House of Peers, That I do now, by these presents Revoke, and Vacate the Proxie by which I did formerly Constitute the said *William Viscount*

count *Say and Seal*, my lawful Actor and Procurator as is aforefaid; and do hereby declare the fame Proxie to be utterly Annulled, Vacated, and Revoked, to all intents and purpofes whatsoever. In witnefs whereof, I have Signed and Sealed thefe presents, this day of *April* in the 22th. year of the Reign of our Sovereign Lord *Charles*, by the Grace of God, of *England, Scotland, France, and Ireland*, King, etc. *An. Dom. 1646.*

This Instrument was written, and ingrossed in Parchment as a Deed Poll is, and to it in a Libel of Parchment, was the Seal of the faid Earl of *Mulgrave* affixed, and it was read and allowed in the Houfe of Peers.

Soon after the allowance of the aforefaid Instrument, the faid Earl of *Mulgrave* sent this enfuing Proxie to the Earl of *Effex*, who made use of it in the Houfe of Peers, and it was there allowed of, without any the leaft question, or difpute.

O Mnibus Christi Fidelibus ad quos hoc presens Scriptum pervenerit Edmundus Comes de Mulgrave Salutem. Noveritis me prefatum Edmundum Comitem de Mulgrave per Licentiam Serenissimi Domini nostri Regis a presenti hoc suo Parlamento inchoat' et tent' apud Westmonasterium etc. sufficienter excusatum abesse, nominare, ordinare, et constituere, dilectum mihi in Christo et honorandum Virum Robertum Comitem Effex, meum verum, certum, et indubitatum Factorem, Actorem, seu Procuratorem per presentes, eidemq; procuratori meo dare, & concedere plenam Auctoritatem, & potestatem, pro me & nomine meo, de & super quibuscunq; causis & negotiis in Presenti hoc Parlamento exponendis, seu declarandis tractandi, tractatibusq; huiusmodi inibi factis seu faciendis consilium & auxilium nomine meo impendendi statutisq; etiam & ordination' quæ ex maturo & deliberato iudicio Dominorum in eodem Parlamento congregat' inactitari seu ordinari contigerint nomine meo consentiendi Cæteraq; omnia & singula quæ in præmissis necessaria fuerint, seu quomodolibet requisita faciendi, & exercendi in tam amplis modo & forma, ut ego ipse facere possem, aut deberem, si presens personaliter interesssem, Ratum & Gratum habiturus totum & quicquid Procurator meus statuerit aut fecerit in præmissis. In cujus rei testimonium præsentibus subscripsi Sigillumq; apposui.

Neither will it be impertinent to set down here how many Proxies were sent to some special Peers at this Parliament, it having been my usual course to make some short remembrance of them in all their Journals of Queen *Eliz's* Reign, upon the first day that any extraordinary Proxies were returned: and I have caused not only the Presidents of this kind to be inserted here at large, in respect this was the first Parliament of her Majesties Reign; but also because they are more full and direct, than any other that ensue, to prove what hath been the ancient use and Pri-

viledge of the Peers of the Upper House, in the matter of sending, and receiving of Lords Procuratory.

At first, *Nicolas* Archbishop of *Tork* (for the See of *Canterbury* remained still void since the Death of Cardinal *Pool*,) was constituted the sole, or joynt Proctor of *David* Bishop of *Peterborough*, *Cuthbert* Bishop of *Durham*, *Thomas* Bishop of *Ely*, *Gilbert* Bishop of *Bath and Wells*, *Henry* Bishop of *St. Davids*, and of *Thomas Tresham* Prior of *St. Johns of Jerusalem*; all which Proxies are entred at the beginning of the Original Journal Book of the Upper House, to have been returned on *Monday* the 23th. day of *January*, on which this present Parliament was Summoned to have begun.

Francis Earl of *Bedford* was also Constituted the sole, or joynt Proctor of 15 several Peers, viz. of *John* Lord *Mordant*, *William* Lord *Paget*, *George* Lord *Zouch*, and of *Henry* Lord *Aburgavenny*, all which Proxies are entred at the beginning of the Original Journal Book of the Upper House, to have been returned this present *Monday* the 23th. day of *January*. He was also Constituted the joynt Proctor of *Edward* Lord *Clinton*, Lord Admiral, *Thomas* Lord *Sands*, *William* Lord *Vaux* of *Heredoun*, *William* Lord *Gray* of *Wilton*, and *Henry* Earl of *Cumberland*, all whose Proxies are entred in such order, as they be here set down, in the aforefaid Journal Book, to have been returned on *Saturday* the 4th. day of *February*. The Proxies also of *Edward* Earl of *Derby*, *John* Earl of *Oxford*, *Henry* Lord *Strange*, *Thomas* Viscount *Howard* of *Bindon*, and *Henry* Lord *Morley*, by which the faid Earl of *Bedford* was Constituted their sole, or joynt Proctor, are entred in the same order they are Transcribed, in the before mentioned Original Journal Book, to have been returned on *Saturday* the 18th. day of *March* enfuing.

And lastly, the faid Earl of *Bedford* was Constituted the joynt Proctor (with *Edward* Lord *Clinton* Lord Admiral) of *Oliver* Lord *St. John* of *Bletto* whose Letters Procuratory are entred to have been returned on *Tuesday* the 4th. day of *April* enfuing.

Edward Lord *Clinton* Lord Admiral, was Constituted the sole Proctor of *William* Lord *Burgh*, *Edward* Lord *Windfor*, and *William* Lord *Euers*, whose Proxies are entred at the beginning of the Original Journal Book of this Parliament, to have been returned on this *Monday* the 23th. day of this *January*. He was also Constituted the joynt Proctor of *William* Lord *Grey* of *Wilton*, whose Proxie is entred, as aforefaid, to have been returned on *Saturday* the 4th. day of *February* enfuing, the Proxie also of *Francis* Earl of *Huntington* is entred, as before, to have been returned on *Saturday* the 18th. day of *March* following, by which he Constituted the faid Lord *Clinton* his joynt Proctor with *Henry* Lord *Hastings*; And for the Proxie of *John* Lord *Darcie* of *Darcie* entred there,

there, as before, to have been returned on this day likewise, he is Constituted his sole Proctor. And lastly the said Lord *Clinton* Lord Admiral was Constituted the sole, or joynt Proctor of *William* Lord *Willoughby* of *Parham*, *Edward* Lord *Hastings* of *Louthbury*, and of *Oliver* Lord *St. John* of *Blestoe*, whose Proxies are entred to have been returned on *Tuesday* the 4th. day of *Aprilen*fu^{ing}.

By these three foregoing Presidents, it doth plainly appear, as also from all other Presidents of former and latter times, that any Member of the Upper House by the ancient usage and Custom of the same, is capable of as many Proxies as shall be directed unto him, although there were an Order made in the said House to the contrary, upon the day of *Anno Regis Caroli An. Dom. 1626.* That no Lord or Member whatsoever, of the Upper House, should for the time to come, be capable of above two Proxies at the most, which said order was occasioned, in respect that *George* Duke of *Bucks*, both the favorite of the King deceased, and of King *Charles* now Reigning, this present year 1630 did, to strengthen himself by voices, not only procure divers persons to be made Members of that House but also ingrossed to himself near upon 20. several Proxies.

And now, if this doubt or conceipt should arise in any mans mind, that therefore the Lords have a greater Priviledge, than the Members of the House of Commons, because they can appoint others to serve in and supply their places in their absence, which the Commons cannot, they are much deceived and mistaken, for it is plain that the chief end of a Proxie is, that the Upper House may have all its Members either in person or by representation, and therefore the Lords Spiritual and Temporal, who are Summoned thither, in their own right have anciently had, and still do retain, the liberty of Constituting their Procurators, whereas every Member of the House of Commons appeareth, and doth serve in the right of that County, City, Burrough, and Port for which he is Elected and Chosen, which being a Trust and Confidence reposed in them, can be no more transferred from him to a third person, than can the Proxie of the Lords be from him to whom it is directed, if he shall be absent likewise: and therefore if any Knight, Citizen, Burgefs, or Baron, after he is Elected and returned, shall before the meeting of the House, be disabled by Sicknes, Attainder, or other Cause, from serving in the same, then presently order is given from the House to the Clerk of the Crown, for the sending thither a second Writ for a new Election; so that the said House may not remain without any Member that appertains unto it. And this I conceive Tantamount unto a Proxie, which cannot be granted, but when the absence of the Lord that sends it, is perpetual during that whole Parliament or Session, for which he Constitutes one or more Proctors: for if he repair to the Upper House any time after, and serve in Person, his Proxie is presently void.

On *Wednesday* the 25th. day of *Jan.* the Parliament was held, according to the last Prorogation thereof on *Monday* the 23th. day of this instant *January* foregoing, and therefore this day is to be reckoned the first day of the Parliament, and it was the error of—*Seimour* Esq; at this time Clerk of the House of Commons, that in the Original Journal Book of the same House, fol. 186. a. he accounteth, and setteth down the Parliament to have begun on the aforesaid 23th. day of *January*, when it was only prorogued, by which he would make that to be the first day thereof.

True it is, that Anciently if the Parliament had been Prorogued on that day, to which the Summons thereof had referred, in the beginning of it, they were so far from accounting that day the first of the ensuing Parliaments, that new Writs of Summons were thereupon sent forth, and a new day appointed for the beginning thereof, as appears in the Parliament Rolls. *Anno 23. Edw. 1. die 20. Novemb. An. 60. Edw. 1. die 11. Decembris A. 33. Edw. 1. die 13. Julij & A. 11. Edw. 2. die 3. Martij.*

But yet it hath been the constant usage most Anciently, and doth doubtless hold at this day also, that if the King do come in Person to the Parliament, on that day to which the Writs of Summons do refer, and there cause it to be referred to another day in his own presence, then shall that day be accounted the first day of the Parliament; of which there are many Presidents also, in the Parliament Rolls still remaining in the Tower of *London*, prout in *A. 6. Edw. 3. Octobris Sti Hillarij A. 14. Edw. 3. tempore Quadragesimi & A. 15. Edw. 3. Quindena Pasche*; and of divers other Parliaments in his time, and in the time of King *R. 2.* his Successor.

And thus also the last day of the Parliament, or of any particular Session, is counted to be that on which the Royal assent is given, to one or more Acts of Parliament, yet if that Parliament or Sessions be adjourned to another day, on which the Sovereign doth again come in Person, and cause it to be dissolved or further Prorogued, then that latter day is to be accounted the last day thereof, of which there is one only President during all the Reign of Queen *Eliz.*, viz. in the Original Journal Book *A. 18. Dictæ Reginae* on *Thursday* the 15th. day of *March*.

The Presence of her Majesty, the Lord Keeper, and the Lords Spiritual and Temporal, is not at all marked in the Original Journal Book of the Upper House, although this entrance following of the said day be there thus Recorded, viz.

Die Mercurij 25. die Januarij proceres, tam Spirituales quam Temporales; quorum nomina subsequuntur, presentes fuerunt.

But before this Title there is nothing specified, touching the presence of her Majesty, or of any of the Lords, for the Letters which should be set at the beginning of the names of such Peers as this day attended her Majesty in the Upper House, are not at all prefixed to any of them;

which doubtless happened, through the great negligence of *Francis Spilman* Esq; at this time Clerk of the Upper House.

Yet most certain it is that her Majesty, Sir *Nicholas Bacon*, the Lord Keeper, the Duke of *Norfolk*, and divers other Peers were present; but the direct manner of the ranking of them, in respect of the negligent omission of setting the Pr. as aforesaid at the beginning of every Lords name that was present, could not be orderly and directly entred in his place, although this was the first day of this first Parliament of her Majesty, nor on *Saturday* the 28th. day of this instant *January*, being the second day of the same, because by like negligence of *Francis Spilman* Esq; at this time Clerk of the Upper House, there is no presence of any Lords there set down in the Original Journal Book of the same House, nor any mention of the Speakers presentment by the Knights, Citizens, and Burgesses of the House of Commons; and therefore of necessity it could not be supplied, until the third day of this foresaid first Parliament of her Majesty, being *Monday* the 30th. day of this instant *January*; on which day the names of all the Lords Spiritual and Temporal being entred, the Letters are Pr. prefixed before the name of the Lord Keeper, and of such Peers as were then present: (as see at large on the said *Monday* next ensuing) and therefore that President there so expressly Transcribed, may serve as a Pattern for all the residue that follow in all the Journals of the Upper House during her Majesties Reign: in which there are no other names inserted, but of such Lords as were marked to be present, unless it be upon *Thursday* the 21th. day of *March* following, in the afternoon in this present Journal, and on *Fryday* the 15th. day of *January* in the Session of Parliament. *A. 5.* of her Majesty in the Journal of the Upper House.

And although the names of her Majesty, and the Lords that attended could not be exactly set down, yet it will not be impertinent in the next place, to insert the manner of their sitting in the said House, which being not at all mentioned in the aforesaid Original Journal Book of the same, *A. 1. Reg. Eliz.* I have therefore partly supplied it, according to 3 other Presidents in these ensuing Journals on which the first was on *Thursday* the 12th. of *Jan.* in the Session of Parliament, *A. 5. Reg. Eliz.* the second, on *Wednesday* the 2^d. day of *Octob. pomerid.* in the second and last Session of that Parliament, being held in *A. 8. Reg. ejusd.* and the third, on *Monday* the 2^d. day of *Apr.* in the Parliament *A. 13. Reg. prædict.* all which do follow in the several Journals of the Upper House, *Annis præfatis*, and it is partly supplied also out the Printed Statute, *A. 31. H. 8. C. 10.* and partly out of that elaborate written Treatise, intituled *Modus tenendi Parliament' apud Anglos*, first confusedly gathered by *Wil. Bowyer* Esq; as I conceive, and now lately digested into a Methodical Treatise, and enlarged by *H. Essing* Esq; at this time Clerk of the Upper House, viz. in *A.*

1630. *L. 1. C. 3. de loco & modo sedendi. Sect. 3.* of the manner of sitting in Parliament at this day.

Her Majesty sate in the Chair of Estate, and when she stood up, her Mantle was assisted, and born up from her Arms by two Noblemen, or others of Eminent Rank thereunto appointed.

The Two Seats, on the right, and left-hand of the Chair of Estate, were void, in respect that the first was Anciently for the King of *Scots*, when he used to come to our Parliaments: and the other, on the left hand, is for the Prince, the immediate Heir of the Crown.

On the Form on the right side of the Chair of Estate, which stands on the North-side of the Upper House, sate the *Spiritual Lords*, the Archbishop of *York* beginning the Form; and the Abbot of *Westminster* ending it. Who was the last Abbot that ever sate in the said House in *England*, since this first Parliament of her Majesty.

But at this day the two Archbishops sit upon one Form by themselves, and then the other Bishops in order upon two Forms, on the right hand of the State; the Bishop of *London* sits first, the Bishop of *Durham* second, and the Bishop of *Winchester* hath the third place, and then all other Bishops, according to the Antiquity of their Consecrations.

On the left side of the Chair of Estate, which is on the South-side of the Upper House, upon the foremost Form, sate all the *Temporal Lords*, above the degree of Barons. The Marquess of *Winchester* Lord Treasurer of *England*, beginning that Form, and the Viscount *Bindon* ending it.

The Barons sate on the second Form, on the left hand of the State, and it should seem at this Parliament (as it fell out also in the next Sessions following, in *A. 5. Reg. Eliz.* on *Tuesday* the 12th. day of *January*) that one Form held them all, so as the Lord *Clinton*, Lord Admiral of *England*, began the said Form by reason of his Office, and the Lord *St. John* of *Bletsoe* ended it. But at this day the number of Peers being much encreased, divers of the Barons do sit upon other Forms, Places, Cross-ways, at the lower end of the House.

Sir *Nicholas Bacon*, the Lord Keeper, because he was under the degree of a Baron, as also her Majesties chief Secretary, being but a Knight, were to have been placed at the uppermost part of the sack in the midst of the said House, upon one Form, by the fore recited Statute, *A. 3. H. 8. Cap. 10.* But at this present Parliament as also at this day, during her Majesties being present, the Lord Keeper stood behind the Cloth of Estate, on the right-hand; and when her Majesty was absent, then his Lordship sate on the first Woolfack which is placed athwart the House, the Seal and Mace by him.

On the Woolfack on the North-side of the House, and of the right-hand of the Estate, sate the two Chief Justices, and divers other Judges.

On the Woolfack on the left-hand of the Estate, and on the South-side of the House, sate the Master of the Rolls, the Lord Chief Baron, the Queen's Learned Council, and others. And note,

note, That all these may properly be said to sit on the Inner-side of the Woolfacks, and the Queen's Learned Council on the outside of the Woolfacks, next the Earls.

The Masters of the Chancery sate two of the same side, and two on the other side, next the Bishops.

The Clerk of the Parliament, and the Clerk of the Crown, sate on the lower Woolfack, and had a Table before them.

And the Clerk of the Parliament had his Clerks under him, who kneeled behind the Woolfack, and wrote thereon.

All those Peers (as appears by the Journal of the Upper House. *A. 8. Regin. Eliz.* the 2. day of *Feb.* being *Wednesday*, which follows after in its due place) who are before mentioned, had their Mantles, Hoods, and Surcoats, (being of Crimson Velvet, or of Scarlet) furred with Meniver, their Arms put out on the right side, and the Duke of *Norfolk* had four Bars of Meniver. The Marquess of *Winchester*, and the Earls three. And the Viscounts, and the Barons, two.

Henry, Earl of *Southampton*, and the Lord *Dacres*, of the *North*, were, as I conceive at this time, both under Age, and in ward to her Majesty, and if they were present, (as many times such were admitted upon such Solemn days as these,) then doubtless they did either stand besides the upper part of the rail, at the higher end of the Parliament House; or else were admitted to kneel at the upper end of the said House, near the Chair of State, for no Peer is called to sit as a Member of that great Council, or to have his free voice, until he have accomplished his full Age, unless by the special grace of the Prince, and that very rarely, unless they be near upon the Age of twenty at the least. The Sons and Heirs apparent of Peers, that sit in the House, stand, on ordinary days, without the upper Rail.

These Animadversions being thus premised, touching the places, and Robes of the Peers; now follows the coming up of the Knights, Citizens, and Burgesses, of the House of *Commons*, into the Upper House, which, being not found in the Original Journal Book of the same, I have supplid with some additions out of the Original Journal Book of the House of *Commons*, *A. primo Regin. Eliz.* and with it the Speech of Sir *Nicholas Bacon*, Lord Keeper, at large, out of a Copy thereof I had by me.

The Knights, Citizens, and Burgesses of the House of *Commons* remained sitting in their own House till notice was brought them by (according to the Ancient Custom and usage,) that her Majesty, the Lords Spiritual and Temporal, and the residue were set in the Upper House, expecting their repair thither, whereupon they went up immediately unto the said House, and being set in, as many as conveniently could, and standing below the Rail or Bar, at the nether end of the said House, Sir *Nicholas Bacon*, Lord Keeper, after he had first

privately, in the presence of them all, conferred with her Majesty, went and stood behind the Cloth of Estate, on the right hand; and there spake as followeth; *viz.*

MY Lords, and Masters all, The Queen's most excellent Majesty, our Natural and most Gracious Sovereign Lady, having, as you know, Summoned hither her High Court of Parliament, hath commanded me to open and declare the chief Causes and Considerations that moved her Highness thereunto. And here, my Lords, I wish (not without great cause) there were in me ability to do it in such order and sort, as is becoming for her Majesties honour and the understanding of this presence, and as the great weightiness and worthiness of the Matter doth require it to be done. The remembrance whereof, and the number of my imperfections to the well performing of it; doth indeed (plainly to speak) breed in me such Fear and Dread, that as from a man abashed, and well nigh astonished, you are to hear all that I shall say therein. True it is, that some Comfort and Encouragement I take, through the hope I have conceived, by that I have seen and heard of your gentle sufferance by others, whereof I look upon equal cause, equally with others to be partaker: and the rather, for that I am sure good will shall not want in me to do my uttermost, And also because I mean to occupie as small a time as the greatness of such a cause will suffer, thinking that to be the meetest Medicine to cure your tedious hearing, and mine imperfect and disordered speaking. Summarily to say, the immediate cause of this Summons and Assembly, be Consultations, Advice, and Contentation. For although divers things that are to be done here in Parliament, might by means be reformed without Parliament, yet the Queen's Majesty, seeking in her Consultation of importance, Contentation by assent, and surety by Advice; and therein reposing her self not a little in your Fidelities, Wisdoms and Discretions, meaneth not at this time to make any Resolutions in any matter of weight, before it shall be by you sufficiently and fully debated, examined and considered. Now the Matters and causes whereupon you are to Consult, are chiefly and principally three points. Of those the first is of well making of Laws, for the according, and uniting of these people of the Realm into an uniform order of Religion, to the Honour and Glory of God, the establishing of the Church, and Tranquillity of the Realm: The second, for the Reforming and removing of all Enormities, and Mischiefs, that might hurt or hinder the Civil Orders and Policies of this Realm: the third and last is, advisedly and deeply to weigh and consider the Estate and Condition of this Realm, and the Losses and Decays that have happened of late to the Imperial Crown thereof; and therefore to advise the best remedies to supply and relieve the same. For the first, the Queen's Majesty having God before her Eyes, and being neither unmindful of

Precepts and Divine Councils, meaneth and intendeth in this Conference, first and chiefly there should be sought the advancement of God's honour and Glory, as the sure and infallible foundation, whereupon the Policies of every good Common-Wealth are to be erected, and knit; and as the straight line, whereby it is wholly to be directed and governed; and as the chief Pillar and Buttreffs, wherewith it is continually to be sustained and maintained. And, like as the well and perfect doing of this, cannot but make good success in all the rest, so the remis and loose dealing in this, cannot but make the rest full of imperfections and doubtfulness; which must needs bring with them continual Change, and alteration; things much to be eschewed in all good Governances, and most of all in matters of Faith and Religion; which of their natures be, and ought to be, most Stable.

Wherefore her Highness willeth, and most earnestly requireth you all, first and principally, for the Duty you bear unto God, whose cause this is; and then for the Service you owe to her Majesty, and your Country, whose Weal it concerneth universally; and for the Love you ought to bear to your selves, whom it toucheth one by one, particularly, That in this Consultation, you with all humbleness, singleness and pureness of mind, confirm your selves together, using your whole endeavour and diligence, by Laws and Ordinances to Establish that, which by your Learning and Wisdom shall be thought most Meet for the well performing of this godly purpose: and this without respect of Honour, Rule or Sovereignty, Profit, Pleasure or Ease, or of any thing that might touch any Person in estimation or opinion of Wit, Learning or Knowledge; and without all regard of other manner of Affection. And therewith, That you will also in this your Assembly and Conference clearly forbear, and, as a great enemy to good Council, fly from all manner of Contentions, Reasonings and Disputations, and all Sophistical Captious and frivolous Arguments and Quiddities, meeter for ostentation of Wit, than Consultation of weighty Matters, comelier for Scholars than Counsellors; more befitting for Schools, than for Parliament Houses. Besides that commonly they be great causes of much expence of time, and breed few good Resolutions. And like as in Council all contention should be eschewed, even so by Council provision should be made, that no Contentions, Contumelious, nor opprobrious words, as Heretick, Schismatick, Papist and such like names, being Nurfs of such Seditious Factions and Sects, be used, but may be banished out of mens Mouths; as the Caufers, continuers and encreasers of Displeasure, Hate and Malice; and as utter Enemies to all Concord and Unity, the very Marks that you are now come to Shoot at.

Again, as in proceedings herein great and wary Consideration is to be had, That nothing be advised or done, which any way in conti-

nuance of time were likely to breed, or nourish any kind of Idolatry, or Superstition; so, on the other side, heed is to be taken, that by no Licentious or loose handling, any manner of Occasion be given, whereby any contempt, or irreverent behaviour towards God and Godly things, or any spice of irreligion might creep in, or be conceived; The examples of fearful punishments that have followed these four Extremities, I mean, Idolatry, Superstition, Contempt and Irreligion in all Ages and times, are more in number than I can declare, and better known than I can make recital to you of. And yet are they not so many, or better known than by the continual budding benefits and blessings of God to those that have forsaken those extremities, and embraced their Contraries. And for your better encouraging to run this right and strait course, although that which is said ought to suffice thereto, I think I may affirm, that the good King *Hezekiah* had no greater desire to amend what was amiss in his time; nor the Noble Queen *Hester* a better heart to overthrow the Mighty Enemies to God's Elect, than our Sovereign Lady and Mistress hath to do that may be just and acceptable in God's sight: Thus forced to this by our Duties to God, feared thereto by his punishments, provoked by his benefits, drawn by your love to your Country, and your selves, encouraged by so Princely a Patroness, Let us in God's name go about this work, endeavouring our selves with all diligence, (as I have before said) to make such Laws, as may tend to the honour and Glory of God, to the Establishment of his Church, and to the Tranquillity of the Realm.

For the Second, There is to be considered what things by private men devised, be practised, and put in ure in this Realm, contrary or hurtful to the Common-Wealth of the same, for which no Laws be yet provided; and whether the Laws before this time made be sufficient to redress the Enormities they were meant to remove, and whether any Laws made but for a time, be meet to be continued for ever, or for a Season: Besides, whether any Laws be too severe or too sharp, or too soft and too gentle; To be short, you are to consider all other imperfections of Laws made, and all wants of Laws to be made, and thereupon to provide the meetest Remedies, respecting the Nature and Quality of the disorder and offence; the inclination and disposition of the people; and of the manner of the time.

For the Third and last, (a Marvellous matter) I cannot see how a good true *Englishman* can enter into the consideration of it, but it must breed in his breast two contrary effects; Comfort I mean, and discomfort; joy, and sadness; for on the one part, how can a man (calling to his remembrance, that God of his divine Power and Ordinance, hath brought the Imperial Crown of this Realm to a Princess, that so Nobly, diligently, willingly and carefully doth, by

by the advice of all the Estates of the Realm seek all the ways and means that may be, to Reform all disorders and things, that be amiss; to continue and make firm that that is good, to detect and discourage those that be dishonest and evil; to execute Justice in all points to all persons and at all times, without rigour and extremity, and to use Clemency, without Indulgence and fond Pity.

A Princess, I say, that is not, nor ever meaneth to be, so Wedded in her own will and Fantasie, that for the satisfaction thereof, she would do any thing that was likely to bring any servitude or Bondage to her people, or give any just occasion to them of any Inward Grudge, whereby any Tumult or stirs might arise, as hath done of late days, things most pernicious and Pestilent to the Common-Wealth; A Princess, that never meaneth or intendeth, for any private affection, to advance the Cause or Quarrel with any Foreign Prince or Potentate, to the destruction of her Subjects, to the loss of any of her Dominions, or to the impoverishing of her Realm; A Princess, to whom nothing, what Nothing? no, no worldly thing under the Sun is so dear, as the hearty Love and good will of her Nobles and Subjects, and to whom nothing is so Odible, as that they might cause, or by any means procure the contrary.')

How can (I say) a man remember this wonderful benefit, but of necessity he must needs heartily rejoyce, and give God thanks for the same! But, my Lords, the handling of the Princely vertues of this Noble Princess, the cause of our rejoycing, of purpose I pretermitt, partly because I ever supposed it not altogether meet for this presence; but chiefly, for that it requireth a perfect, and Excellent Orator, in whom both Art and Nature Concur, and not to me, a man in whom both fails. Marry, I wish in my heart, an Apt person might oft have meet presence, and just occasion, to handle this matter, as the weightiness of the Cause requireth: But as the Causes of our Rejoycing for such respects be (thanks be to God,) both many and great; so for the causes of our sadness and discomfort, they be neither few nor little.

But here upon great cause, as a man perplexed and amazed, I stay, not knowing what is best to be done; very loth I am to utter that which is much unpleasant for me to speak, and as uncomfortable for you to hear: but because sores and wounds be hardly cured, except they be well opened and searched, therefore constrained, of necessity I see I must trouble you with these sad matters. What man, that either Loveth his Sovereign, his Country or himself, that thinketh of and weigheth the great decays and losses of Honour, Strength and Treasure, yea and the peril that hath happen'd to this Imperial Crown of late time, but must needs inwardly and earnestly bewail the same? Could there have happen'd to this Imperial Crown a greater loss in Honour, Strength and Treasure than to lose

that piece, I mean *Calis*: which was in the beginning so Nobly won, and hath so long time, so Honorably and Politickly, in all Ages and times, and against all attempts, both Foreign and near, both of Forces and Treasons, been defended and kept? Did not the keeping of this breed Fear to our greatest Enemies, and made our faint friends the more assured, and lother to break? yea, hath not the winning and keeping of this, bred throughout Europe an honorable opinion and report of our *English* Nation?

Again, what one thing so much preserved and guarded our Merchants, their Traffick and enter-courses, or hath been so great a help for the well uttering of our chief Commodities, or what, so much as this, hath kept a great part of our Sea-coasts from spoiling and Robbing? To be short, the loss of this is much greater than I am able to utter, and as yet, as I suppose, is able to be understood by any: and yet, my Lords, if this were the whole loss, then might men have some hope in time to come to recover that, that in time hath been thus suddenly and strangely lost; But when a man looketh further, and considereth the Marvellous decays and wast of the Revenue of the Crown, the inestimable consumption of the Treasure, levied both of the Crown, and of the Subject, the Exceeding loss of Munition and Artillery, the great loss of divers valiant Gentlemen of very good Service, the incredible sum of Moneys owing at this present and in honour due to be paid, and the biting interest that is to be answered for the forbearance of this Debt, therewith remembring the Strength and Mightiness of the Enemy, and his Confederates, and how ready he is upon every Occasion, upon every side, and in every time, to Annoy you; And how the time most Meet for that purpose draweth on at hand again; if a man consider the Huge and most Wonderful charge, newly grown to the Crown, more than ever hath heretofore been Wont, and now of necessity to be continued; as first, the maintenance of Garison in certain places on the Sea-coasts, as *Portsmouth*, with new Munition and Artillery, besides the new increased Charge for the continual maintenance of the *English* Navy to be ever in readines against all evil happs; the strongest Wall and defence that can be against the Enemies of this Island; And further also, the new Augmentation or Charge, for the maintenance of a Garison at *Barwick*, and the Frontiers Northward. Indeed, I must confess that in those matters mine understanding is but small, and mine experience and time to Learn, less: But in mine opinion, this doth exceed the Ancient yearly Revenue of the Crown. Besides, that double so much is of Necessity to be presently spent, about the fortifying of those places in Buildings. When I say a man remembreth, and considereth these things, it maketh him so far from hope of Recovery of that, that is lost, without some aid or Contribution of the Subject; that he will Judge

all to be little enough, to make and prepare good defence for that that is left.

Here perchance a Question would be asked, (and yet I do Marvel to hear a Question made of so plain a Matter) what should be the cause of this? if it were asked, thus I mean to answer; that I think no man so blind but seeth it, no man so deaf but heareth it, nor no man so ignorant but understandeth it. Marry withal, I think there is no man so hard hearted in thinking of it, but for the restoring of it would adventure Lands, Limbs, yea the Life. But now to the remedies, wherein only this I have to say; That, as the well looking to the whole universally, is the only sure preservation of every one particularly; so seemeth it of all congruence and reason meet, that every one particularly, by all ways and means readily and gladly, according to his power, should concur, and joyn to relieve and assist the whole universally. Neither can I see, things standing as they do, how any that loveth his Country, or hath wit to foresee his own surety, can be withdrawn from this. Is there any, think you so Mad, that having a Range of houses in peril of fire, would not gladly pluck down part, to have the rest preserved and saved? Doth not the wise Merchant, in every adventure of danger, give part to have the rest assured? These causes well compared, small difference shall be found. And for all this (a strange matter and scarce Credible) with how deaf an Ear, and how hardly the Queen's Majesty may endure to hear of any device that may be burthenous to her Subjects, I partly do understand, and divers others partly perceive. Is not the cause Marvellous Pityful, that the Necessity and Need of this Ragged and Torn State by Misgovernance, should by force so bridle and restrain the noble Nature of such a Princess, that she is not able to show such Liberality and Bountifulness to her Servants, and Subjects, as her heart and Inclination disposeth her Highness unto? What a grief and Torment this is to a Noble Mind! What a grief? surely such a grief, as but to a Noble Mind who feels it, it cannot be understood. But for the more plain declaration of her highness's disposition in this matter, her Highness hath commanded me to say unto you, even from her own Mouth, that were it not for the preservation of your selves, and the surety of the State, her Highness would sooner have adventured her Life, (which our Lord long preserve) than she would have adventured to trouble her Loving Subjects with any offensive matter, or that should be burthenous or displeasing unto them; And for the further Notifying of her Highness's mind herein, she hath commanded me to say unto you, That

albeit you your selves see, that this is not matter of will, no matter of displeasure, no private Cause of her own, which in times past have been sufficient for Prince's Pretences; (the more Pity!) but a matter for the universal Weal of this Realm, the defence of our Country, the preservation of every man, his house and Family particularly; yet her Majestie's Will and Pleasure is, that nothing shall be demanded or required of her Loving Subjects, but that, which they, of their own free wills and Liberalities, be well contented, readily and gladly, frankly and freely to offer; so great is the trust that she reposeth in them, and the love and affection that her Highness beareth towards them, nothing at all doubting, but that they will so lovingly carefully and prudently consider and weigh this great and weighty Matter, that such provision out of hand be taken therein, as her Highness shall be preserved in all Honour and Royal Dignity, and you, and the rest of her Loving Subjects, in common quiet and surety.

Now, to make an end, The Queen's Majestie's pleasure is, That you, her welbeloved and trusty Knights of her Shires, and Burgessees, according to your laudable Custom, shall repair to your Common House, and there deliberately and advisedly Elect, or rather, amongst so many already Elect persons, select one, both grave and discreet, who after he be by you presented, and that Presentation by her Highness admitted, shall then occupy the Office and Room of your Common Mouth, and Speaker, and of your day of presentation the Queens Majesty giveth you.

As soon as the Lord Keeper had ended his Speech, and the Knights, Citizens and Burgessees retired to the House of Commons, to Elect and choose their Speaker, *Francis Spilman Esq;* Clerk of the Upper House, stood up, and read the Names of Receivers, and Tryers of Petitions in *French*, according to the Ancient and unusual manner. And because I resolve in all the ensuing Journals of the said House, during the Reign of this most Sacred Queen, only to set down their said names, without tying my self to the express Form or Language; therefore I have in this place, once for all, Transcribed the exact Form thereof, as it is entred in the Original Journal Book of the Upper House, *A. isto primo Regin. Eliz.* with this difference only, that whereas it is there entred before the beginning of the said Journal, here I have caused it to be referred unto, and placed in that day, to which it more properly belongs. After which also, divers Animadversions touching the Ancient use and nature of the said Receivers and Tryers, are inserted.

Recepvours des Petitions d' Angleterre Ir'land
Gallee et D' Escoce.Messire Robert Catelyn
chl. chef. Justicier.Messire Guillaume Cordell
chl. garden des Rolles.Messire Umfrey Browne
chl. et Justicier.

Messire Rich. Reed chl.

Docteur Lewis

Docteur Harnye.

Et ceux qui veulent
delivrer leur Petitions,
les bailient dedans six
jours prochainement en-
suivants.Recepvours des Petitions de Gascoigne et des
autres terres et pais de per de la mer, et des
Isles.Messire James Dyer
chl. et Justicier.Messire Edward Saunders
chl. le chief. Baron.Messire Anthony Browne
Justicier.

Messire Johan. Vaughan

Docteur Mowse.

Et ceux qui ven-
lent delievrer leur Pe-
titions, les bailient
dedans six jours pro-
chainement ensui-
vants.Et sont assignes trieurs des Petitions d' Angle-
terre Ireland Gallee et d' Escoce.

Larcheresque de York

Le Marquisse de Win-
chester Thesaurar. de
Angleterre.Le Duc de Norf. Conte Ma-
rescalle de Angleterre.

Le Cont de Arundel

Le Cont de Rutland

Le Cont de Bedford

Le Cont de Pembroke

Le Baron Clinton et Saye

Le Grand Admiral de
Angleterre.

Le Baron Ryck.

Toute eux ensembles,
ou quatre des Prelattes
et Seigneurs avant ditz
appellants avecque eulx
Mars. Le Garden du
grand-Seal et Le The-
saurarier, et ausi les
Serians de la Roigne,
quand besoigne sera, et
tiendront leur places en
la Chambre du Cham-
brelain.Et sont assignes Trieurs des Petitions de Gas-
coigne, et de autres terres et pays per de
la mer et des Isles.Le Marquis de Northam-
pton.

Le Conte de Shrewsbury.

Le Conte de Suffex.

Le Conte de Huntingdon.

Le Evesque de London.

Le Evesque de Carlisle.

Le Baron Howard d'es-
singham, Chambrelaine
de la Roigne.

Le Baron Stafford.

Le Baron Willoughby.

Le Baron Williams de
Thame.

Le Baron North.

Toute eux ensembles,
ou quatre des Prelats et
Seigneurs avant-ditz
appellants avecques
eulx les Serjeans de la
Roigne, quand il sera
besoigne, et tiendront
leur places en le Cham-
bre de Thesaurarier.

The Knights, Citizens, Burgeses, and Barons of the House of Commons, having Notice about one of the Clock in the Afternoon, (of this fore-
said Saturday being the 28th. day of Jan.) That
her Majesty, the Lord Keeper, and divers Lords,
Spiritual and Temporal, were set in the Upper
House, expecting their attendance, they re-
paired immediately thither, with Sir Thomas
Gargrave Knight, their Speaker Elect, and be-
ing let in as many as conveniently could, the
said Sir Thomas Gargrave was led up to the
Rail, or Bar, at the lower end of the said House,
by two of the most honorable Personages of the
House of Commons; where, after three Reve-
rences made to her Majesty, he modestly and
submissively excused himself, as being unable to
undergo the many and great difficulties of that
place: to which, by the Grace of the Queen,
and the undeserved favour of the House of Com-
mons, he had been chosen; Alledging withal,
that there were many Members in that House
more worthy of the honour, and more able to
undergo the Charge of that service, than him-
self; And therefore desired, and humbly advised
the Queen's Majesty, to free him from that
employment, and to commend to her Knights,
Citizens, and Burgeses of the House of Com-
mons, the Choice of some other of their more
able Members.

But notwithstanding all these reasons and ex-
cuses, according to the usual form, by the said
Prolocutor alledged, Sir Nicholas Bacon Knight,
Lord Keeper of the Seal, by her Majesties Com-
mandment, both encouraged him to the Care-
ful undertaking of that Service, and assured him
of the Queen's acceptance, and admission of him,
by this Oration following.

SIR Thomas Gargrave, the Queen's Majesty
doth right well perceive and understand
your Comely and Modest manner, in the disa-
bling of your self for this Office, and room,
whereunto her Trusty and Wel-beloved Knights
and Burgeses have Elected you, and do now
presently present you, and therewith also hath
heard your Petition and Suit, made with all
humbleness and reverence, for your discharge
in this matter; for answer whereunto, her Ma-
jesty hath commanded me to say unto you, that
She her self right well doth understand, that by
the Orders and Rules of good Government and
Policy, Power and Authority, to receive or refuse
any Office of Service in any Common-Wealth,
should not be permitted to be in the Arbitriment
of him, who is thereunto Orderly called, or ap-
pointed, nor that the Judgment and discerning of
Ability and disability in service, pertaineth to the
person called, but to her Majesty, as doth right well
appear by a Similitude that is old and Common,
but neither unapt nor untrue; that is, like as unto
the head of a natural body pertaineth the appoint-
ment, and as it were the Marshalling of every
Member of the same Body to the particular Ser-
vice, and Office; So to the Head of every Body
Politick,

Politick, be it Emperor, King or less State, belongeth, mediately or immediately derived, the assignment and admitting of every Member of the same body, to his Ministry and Duty, and as the contrary doing in the first, were Monstrous in nature, so surely the contrary doing in the second, were Monstrous in reason. Now her Majesty having this Authority in her, as Head of the Politick Body of this Realm, and therewith being credibly informed of your approved Fidelity, wisdom and discretion, and of the long experience that you have had in Parliament matters, thinketh, that if her Highness should assent to your Desire, it would be prejudicial to her Majesty, and the Common-wealth of the Realm. Besides also, for as much as you have been chosen, and enabled to this Office and place, according to an Ancient and Laudable Order, by so many wise, sage and discreet Knights, and Burgessees, to whose Judgment and opinion, her Highness thinketh it meet and convenient for her to have great regard, and to give much credit; and faith, that for that respect also, her Majesty may not conveniently grant your Petition.

Again, your self, seeking in humble and reverent manner your own discharge and disablement, have indeed, by well, comely, modest and orderly doing thereof, given no small cause, whereby you are to be enabled; and therefore her Majesty, upon these respects and divers others, doth now presently admit this Election, and presentation made of you, nothing at all doubting, but that you will, with such diligence, faithfulness and circumspection, use and Exercise your Office, as thereby the good hope and expectation, that her Majesty hath received of you, by that she hath heard of others already, shall be by that her self shall see and hear, not only confirmed, but also increased and augmented; And so, as her Highness's Loving Subjects of her Common's House, shall neither have just cause to repent their Election, her Majesty her admission, nor you your self the assumption, and taking upon you this Charge.

Unto which Speech of the Lord Keepers Sir Thomas Gargrave humbly submitting himself to the undergoing of the Charge and service imposed on him, made a discreet and submissive answer, in which he expressed the great blessedness now accrewed to the Realm, and all conditions therein, by her Majesties attaining the Crown; being a Princess so Richly endued with Piety, Wisdom, Mercy, Justice and tender Care of her people's good and safety, and with all other gifts of mind and body, requisite for the Government of so great a Kingdom.

Then he proceeded to many hearty Prayers, and feeling Expressions of the good success of the Parliament, and for the uniting of their Councils in one Issue, and to the repairing of the many losses, and preventing of many dangers, now imminent over the Realm. And lastly, he came,

according to the usual Form, first to desire Liberty of access for the House of Commons to the Queen's Majesties presence, upon all Urgent and Necessary Occasions. Secondly, that if in any thing himself should mistake, or misreport, or over-slip that which should be committed unto him to declare, that it might, without prejudice to the House, be better declared, and that his unwilling Miscarriage therein might be pardoned.

Thirdly, that they might have Liberty and freedom of Speech in whatsoever they Treated of, or had occasion to propound and debate in the House. The fourth, and last, that all the Members of the House, with their Servants and necessary Attendants, might be exempted from all manner of Arrests and Suits, during the continuance of the Parliament, and the usual space, both before the beginning, and after the ending thereof, as in former times hath always been accustomed.

To which Speech of the said Speaker, the Lord Keeper, without any long pausing, repli'd again in manner and form following.

MR. Speaker, the Queen's Majesty hath heard, and doth very well understand your wise and discreet Oration, full of good meaning, good Will and good Matter: the Effect whereof (as I take it) may be divided into three parts; of those the first containeth the commendation of the Queen's Highness, The Second, certain good wishes and desires of yours, very honorable, profitable and Commodious for the Realm to be followed, and put into Execution. The third, divers Petitions concerning the Exercises of your Office, and the Liberties and Priviledges of the Commons House. For the first, the Queen's Majesty giveth you most hearty thanks, as for a good Exhortation made to her Highness, to become such a one as you have commended her for; but not acknowledging those vertues to be in her Highness, Marry, confessing that such as she hath be God's graces. And therewithal, her Highness wisheth, (as she trusteth you all do,) that for *England's* sake, there were as many vertues in her, as would serve for the good Government of this her Realm, committed to her Royal Charge, and desireth you all, with her, to give God dayly thanks for those which she hath, and to make humble Petition to grant such increase of the rest, as to his divine Providence shall be thought for his honour most Meet.

For the Second, her Majesty trusteth, and verily believeth, that those good wishes and desires of yours are so deeply graven, and perfectly imprinted in the hearts of the hearers, that the good success and sequel, that should come thereof, will evidently declare, that you have not in vain spoken them, nor they negligently heard them. For the third and last, you have divided into four Petitions; The first, for your access to the Queen's Highness and her Nobles,

for

for your reports and conference. The Second, that you be born with in any thing, if you should in any of your reports be mistaken, or overflipped, and that without prejudice to the House it be better declared. The Third, Liberty of Speech, for well debating of Matters propounded. The Fourth and last, that all the Members of the House and their Servants may have the same freedom from all manner of Suits, as before time they used to have.

To these Petitions, the Queen's Majesty hath commanded me to say unto you, that her Highness is right well contented to grant them unto you, as largely, as amply and as liberally, as ever they were granted by any her Noble Progenitors; and to confirm the same with as great an Authority. Marry, with these Conditions and cautions; first, that your access be void of importunity, and for matters Needful, and in time Convenient. For the Second, that your Diligence and Carefulness be such, (Mr. Speaker,) that the defaults in that part be as rare as may be; whereof her Majesty doubteth little. For the Third, which is for Liberty of Speech, therewith her Highness is right well contented; but so, as they be neither unmindful, or uncareful of their Duties, Reverence and Obedience to their Sovereign. For the last, great heed would be taken, that no evil disposed person seek of purpose that priviledge, for the only defrauding of his Creditors, and for the maintenance of injuries and wrongs. These Admonitions being well remembred, her Majesty thinketh all the said Liberties and Priviledges well granted. To come to an end, only this I have to put you in mind of, that in the sorting of your things, you observe such Order, that matters of the greatest Moment, and most Material to the State, be chiefly, and first set forth; so as they be not hindered by particular and private Bills to this purpose. That when those great Matters be past, this Assembly may sooner take end, and men be licensed to take their ease; I have said.

The Speaker being thus allowed, he returned to the House of Commons, with the Serjeant of the House bearing the Mace before him; and the Queen's Majesty, and the Lords rose, and departed.

On Monday the 30th. day of January, were divers Lords, Spiritual and Temporal present, as is plainly set down in the entrance of the names in the Original Journal Book of the Upper House.

Francis Spilman Esq; Clerk of the Upper House, standing at the Table near the lower Woolfack, did there read a certain Bill, written in Paper, and intituled, *An Act for the restitution of the first Fruits, and Tenths, and Rents reserved, Nomine Decimæ, and of Parsonages Improprate to the Imperial Crown of this Realm;* and after he had so read it, (which was accounted the first reading thereof,) then he delivered the

same kneeling, unto Sir Nicholas Bacon, Knight, Lord Keeper of the Great Seal, together with a Brief of the Bill.

The Lord Keeper read the Title of the Bill, and then reported the effect of the same unto the House out of the Brief, And then concluded with these words, *viz.* This is the first time of the reading of this Bill.

And there is no mention made in the Original Journal Book of the Upper House, that this Bill was at all spoken unto upon this reading, neither is it indeed usual, although there have not wanted Presidents thereof, *prout A. 1. H. 8. 11. Die Parliamenti Billa de actionibus*, brought from the Commons *lecta prima vice*, & *Domini disputando censuerunt reformandum quod Regia Majestas haberet. 3. vel 4 Annos, pars vero contra partem nisi unum Annum.* And a Bill hath been rejected upon the first reading, *prout Anno 3. Edw. 6. 14. Nova Billa pro jurisdictione Episcoporum* Rejected, and a Committee appointed, to draw a new Bill; of which also there want not divers other Presidents in most of the other Journals during her Majesties Reign: but most true it is, that usually a Bill is seldom rejected till the second reading, for then it is most proper to be spoken unto; and when it hath received either a longer or shorter disputation in the House, then the proceedings commonly are either to order it to be engrossed, or refer it to Committees, or to reject it; which course holdeth only in Bills that come newly into either House. For if a Bill, having passed one of the two Houses, be sent unto the other, it is never ordered to be ingrossed, because it comes from thence ready ingrossed in Parchment, and seldom referred to Committees, or rejected; there want not also divers Presidents, when a Bill hath been disputed after the third reading, and sometimes recommitted, and sometimes rejected. Of all which, the Examples and Presidents are so frequent in all the ensuing Journals of this Queen, as also in those foregoing of *H. 8. Ed. 6.* and Queen Mary, as there is not need to make any large Citation of them: Neither do there want, in their several places, fit and due references, whereby to refer the several Presidents of this nature, contained in one and the same Journal, from one to another. Which things being thus premised and observed, now follow some Animadversions or Presidents, touching the Commission of Bills, and further proceedings in them upon the first reading.

Bills also have been Committed upon the first reading, *prout An. 6. H. 8. 14. Feb. recepta est Billa in papyro concernens apparatus, & lecta est prima vice & deliberata Magistro Pigot reformanda.*

Anno Primo Ed. 6. 21. Novembris allata est à Communi domo Billa for benefices, Common Preachers and residence, quæ prima vice lecta est, & commissa Archiepis. Cantuarien', Episcopo Elien', Episcopo Dunolmen', Episcopo Roffen', Episcopo Lincoln', Marchioni Northampton, Domino St. John,

Comiti Arundel, Domino Admirallo & Domino Wentworth, and in A. 5. Edw. 6. 16. Feb. Hodie prima vice lecta est Billa to avoid regrating, forestalling, &c. & commissa est Magistro Hales, Magistro Molineux, Magistro Saunders, & Solicitori Regine. And there are very many Presidents that Bills have been committed upon the first reading, in the times of *Hen. 8.* and *Ed. 6.* as may appear by the Committees of those times.

The like Presidents are to be found in most of the Journals of her Majesty, *prout A. 8. Eliz. Oct. 3.* The Bill for the better Executing of Statutes, &c. *eodem An. 5. Octob.* touching Fines and Recoveries, *An. 13. Eliz. 20. Aprilis,* against fraudulent Conveyances, &c. *An. 14. Eliz. 12. Maij,* for preservation of Woods, *eodem An. & die,* for the punishment of Vagabonds; and so in many other Parliaments of this Queen's time, of which (because they are so frequently obvious) it would be unnecessary to make further repetition.

And although there be no mention made in the Original Journal Book of the Upper House, that the Lords and Members of the same were this day called, yet there is no great doubt to be made thereof; and therefore I have caused it to be inserted, and applied unto this time, in manner and form following.

Francis Spilman the Clerk, did on this third day of the Parliament call every Lord in the House by his Name, that so it might be seen, who were present; beginning with the lowest Baron, and ascending to the highest Peer, where also the Proxies and other Excuses of the absent Lords, were Registred.

But it may be Collected by the Parliament Rolls *Annis 37. 38. 40. 43. 45. 47. & 50. Ed. 3.* that the Lords names were called the first day, and the Commons also in the Upper House before the King's coming, which Order, in respect of the time, is held still with the Commons, whose Names are usually called at this day in the Court of Requests, the first day of the Parliament.

Dominus Custos Magni Sigilli continuavit presens Parliamentum usq; in diem Crastinum, hora Octava.

On *Tuesday*, the 31th. day of *Jan.* the former Bill for the restitution and annexation of the first Fruits and Tenths, to the Imperial Crown of the Queen's Majesty, was read the Second time.

Francis Spilman Esq; Clerk of the House, (having read the said Bill for the Restitution and Annexation of the First-fruits, &c.) standing at the Table, near the nether Woolfack, did then deliver the same without any Brief, Kneeling to the Lord Keeper, who thereupon read the Title thereof to the House, and said, This is the second Reading; and so the Bill was Ordered to be Ingrossed, which is no more, than to Transcribe the Bill fairly out of the Paper, in which it was written, into Parchment. More shall be said, touching the referring of a Bill to Committees, on *Fryday* the third day of *March* ensuing; where is the first mention of Committing any Bill during this Parliament.

After the second Reading of the aforesaid Bill, there appeareth no other matter in the Original Journal Book of the Upper House, save only the entrance of the continuance of the Parliament by the Lord Keeper.

On *Wednesday* the first day of *February*, the Bill for the Recognition of the Queen's Highness's Title to the Imperial Crown of this Realm, was read the first time, (in such manner and form, as the Bill for the Restitution of the First-fruits and Tenths, &c. was read, on *Monday* the 30th. day of *January* foregoing;) and was thereupon Committed to the Queen's Attorney, which cannot properly be called a Committing of the Bill, because no Lords are named Committees therein, but only a referring of the Bill to the said Attorney, (who, as is most likely, with the residue of the Queen's Learned Council, did at first draw it) that so upon further perusal thereof, he might again bring it into the House, and Certifie the Lords, if any thing were to be altered or reformed in it.

On *Saturday*, the 4th. day of *February*, the Bill, for the Recognition of the Queen's Highness's Title to the Imperial Crown of this Realm, was read the second time, in such manner and form as the Bill, for the Restitution and Annexation of the First-fruits, &c. was read, on *Tuesday* the 31th. day of *January* foregoing, and was thereupon Ordered to be ingrossed.

The Bill also for the Restitution and Annexation of the First-fruits and Tenths and Rents reserved *Nomine Decimæ*, and of Parsonages impropriate, to the Imperial Crown of this Realm, was read the third time, The whole manner and form of Proceedings wherein, as also of the sending thereof down unto the House of Commons, I have caused to be Transcribed out of that before-mentioned written Discourse, touching the whole Order and Process of passing of Bills in the Upper House, Penn'd by *H. Elsing* Esq; at this time Clerk of the same, this present year 1630. and the form of the said sending down thereof, out of a like Treatise, of passing Bills in the House of Commons, Pen'd by *W. Hackwel* of *Lincolns Inn* Esq; For I conceive there is no question, but that the Form used at this day, is one and the same with that which was observed this first year, and the rest ensuing of her Majesties Reign; And therefore I have applied all to this time, although there be nothing thereof expressed, in the Original Journal Book it self of the Upper House, save only the very Title of the Bill, the time of the reading, the dissent of the Bishops, and the sending of it down to the House of Commons.

Francis Spilman Clerk of the House, standing by the Table at the nether Woolfack, read the same Bill, and then indorsed upon it, being fairly ingrossed in Parchment, these words 3. *vice lecta*, and then delivered the same, kneeling to the Lord Keeper, without any Brief of the Bill, who thereupon, repeating the Title only of the Bill, said, This is the third Reading of the Bill.

Then his Lordship demanded of the House, whether

whether he should put it to the question for passing, which being agreed on affirmatively, the question was thus put.

Such of your Lordships as are of opinion, that this Bill is fit to Pass, (or shall Pass,) say, content.

Then the lowest Baron first beginning said, *content*, without any more words, and so did all the other Barons in their order, ascending to the Highest.

Then the Bishop of *Carlile*, being the puisne Bishop present, said, not *content*; and so also, in like manner, said the Bishop of *Chester*, the Bishop of *Exeter*, the Bishop of *Coventry* and *Lichfield*, the Bishop of *Landaffe*, the Bishop of *Worcester*, the Bishop of *London*, and the Archbishop of *York*; by which it may be seen, how unwillingly these Popish Bishops did suffer their *Dagon* to fall down.

And after the Bishops, all the other Temporal Lords present, beginning with the lowest and ending with the highest, did all (*Nullo Contradicente*) say, *content*.

After which, all the Barons first stood up, and after them all the Earls and other Lords who had voted the Affirmative. And then stood up the Archbishop of *York* and all the other Bishops who had voted the Negative, and so upon the great inequality of their Voices at the first view, the Bill Passed, and its likely, that the Voices for the Passing of the Bill exceeding so much the number of those, who were against it, that the Proxies of the absent Lords were not at all demanded, which might have been, if the House had moved or required it; but, I conceive, that those are most frequently called for, when the difference of the House stands upon some equality of Voices.

The Bill being thus Passed, was delivered to the Queen's Attorney and Solicitor, to be carried to the House of Commons, which was not performed by them, as appears by the Original Journal Book of the said House, until the *Monday* following, being the 6th. day of this instant *Feb.* the manner of the delivery thereof was as followeth, *viz.*

The said Attorney and Solicitor, being admitted into the said House, came up close to the Table, where the Clerk sat, and made three Congies, and then acquainted Sir *Thomas Gargrave* the Speaker, that the Lords had sent unto the House such a Bill, of which one of them Read the Title, and so again departed the House, having made three other Congies.

There are also divers Proxies entred at the beginning of the Original Journal Book of the Upper House, to have been returned, and introduced this day, but whether before or after the continuance of the Parliament, and rising of the House, doth not appear.

On *Thursday*, the 9th. day of *February*, the Bill wherein certain offences be declared Treason, was Read the first time.

The Bill also for the Recognition of the

Queen's Highness's Title to the Imperial Crown of this realm, was by general consent concluded, this being the third Reading, and so the same was delivered to Mr. Solicitor and the Clerk of the Crown, to be carried to the House of Commons: the whole form of which Proceedings, touching the third reading, Passing and sending down of a Bill, see in a like Case on *Saturday*, the fourth day of this Instant *Feb.* foregoing.

The Bill against Slanderous and Seditious words, was Read *prima vice*.

On *Fryday*, the 10th. day of *Feb.* The Bill, whereby the Queen's Highness is made inheritable to the late Queen *Ann* her Majesty's Mother, was read *prima vice*, and after the reading of two other Bills, was read again the second time, and Ordered to be ingrossed, which speedy course the House took for the Passing of this Bill to express their zeal and affection to her Majesty, whom it so nearly concerned.

The Bill lastly, whereby divers Offences be made Treason, and the Bill against Seditious words and rumours, were each of them read the second time, and Ordered to be ingrossed.

On *Saturday*, the 11th. day of *February*, two Bills of no great Moment, had each of them their third reading, and were sent unto the House of Commons, by Mr. Solicitor and Mr. *Lewis*, of which the first was the Bill for explanation of the Statute of Seditious words and rumours.

Two Bills were brought up to the Lords from the House of Commons, by Mr. Treasurer and others, *viz.* The Bill of a Subsidy granted to the Queen's Majesty by the Temporalty, and the Bill of a Subsidy of Tonnage and Poundage.

The said Mr. Treasurer, being the Principal Messenger, accompanied with divers other Members of the House of Commons, came in the first rank of them to the Rail, or Bar, at the lower end of the Upper House, and, after three Congies made, declared unto their Lordships, That the Knights, Citizens and Burgeses of the House of Commons had sent unto them two Bills, of which he read the Titles, and then Sir *Nicholas Bacon*, Lord Keeper, rising from his seat, came down to the Bar to receive them, to whom the aforesaid Mr. Treasurer did in all humble manner deliver them, and thereupon, with the residue of his Company, having made other three Congies, departed.

On *Monday* the 13th. of *February*, the Bill for one Subsidy and two Fifteens and Tenths granted by the Temporalty, was Read *prima vice*, and Committed, (or rather referr'd) to the Queen's Attorney and Solicitor, of which see a like improper Commitment on *Saturday* the 10th. day of this Instant *February* foregoing, *in fine diei*.

The Bill also of a Subsidy of Tonnage and Poundage was Read the second time, but no mention is made that it was either referr'd to Committees, or Ordered to be ingrossed; and the Reason thereof was, that this Bill had pass'd

the House of Commons, and was sent up unto the Lords on *Saturday* the 10th. day of this instant *February* foregoing, fairly ingrossed in Parchment, and therefore can be no more ingrossed: neither do the Lords ordinarily refer such Bills to Committees, unless there be very great Cause, in respect that each House holding Correspondency with other, they do not willingly submit that to the Agitation of a private Committee, which hath been allowed, and approved by the Wisdom of the whole House. A second reason, that sometimes a Bill may neither be referred to Committees, nor Ordered to be ingrossed upon second reading, although it hath not Passed the House of Commons, may be, because Bills of Grace, *viz.* for the Restitution of Blood, of Naturalization, and such like, are sent to the House from her Majesty fairly ingrossed in Parchment, and Signed with her hand, which for the most part do pass the House without any Stop or Question. A third and last reason thereof may be, when the Lords defer the Committing, or ingrossing of any Bill, unto some other time, as fell out in the Bill touching the Commission of Sewers, in *A. 13. Regin. Eliz.* which was Read *secunda vice* on *Fryday* the 20th. day of *April*, and referred to Committees on the day following* (although sometimes it may be omitted likewise through the negligence of the Clerk of the Upper House.)

The Bill lastly, whereby the Queen's Majesty was restored in Blood to the Late Queen *Ann*, her Highness's Mother, was read *tertia vice* & *Communi omnium procerum assensu conclus.*

Custos magni Sigilli continuavit presens Parliamentum usq; in diem Mercurij prox' hora nona.

On *Wednesday*, the 15th. day of *February*, The Bill of a Subsidy, and two Fifteens, and Tenths, granted by the Temporalty was read the second time, but no mention is made, that it was either referred to Committees, or Ordered to be ingrossed, *vid. Consimil.* on *Monday*, the 13th. day of this instant *February* foregoing.

The Inhabitants of the Shires of *Wales*, and County Palatine of *Chester*, who are Charged as well with Mises as divers Subsidies, now immediately due, made Petition to the Lords to be respited, and to have longer day for the payment thereof, whereupon it was thought good by the Lords, that the Queen's Majesty should be moved therein by the Lord Keeper of the Great Seal, who having knowledge of her Will and Pleasure in that behalf, signified the same unto the Lords, according to which, and for more Corroboration thereof, it was in her Highness's name commanded that an Entry thereof should be made, as followeth.

It is Ordered and Decreed by the Queen's Highness, and assented unto by the Lords, that in that year, in which our Sovereign Lady the Queen's Highness shall award her Commission

for the assessing and payment of any her Majesties Subsidies, now due, or by the Authority of this present Parliament to be due, the Shires of *Wales*, and Counties Palatine of *Chester*, chargeable with the payment of the same, and every of them, shall not be charged, or chargeable with the payment of the Mises now due to her Majesty, nor in that year, in which her Highness shall have payment of the said Mises, the said Subsidies, or any of them, shall be paid by any the said Shires or County Palatine aforesaid.

Custos Magni Sigilli continuavit presens Parliamentum usq; in diem Jovis prox' hora nona.

On *Thursday*, the 16th. day of *February* the Bill of a Subsidy, and two Fifteens, and Tenths, granted by the Temporalty, being read *tertia vice*, and by common consent concluded, with certain Amendments to be inserted, was delivered to Mr. Attorney and Mr. *Vaughan*, to be carried to the House of Commons.

In which Bills sending down, because both the manner of writing the said Amendments, and the Subscription of the Lords under them, do differ from all ordinary Proceedings, if the Bill had Passed the Upper House without such Amendments; therefore I have thought good to add the whole manner and form thereof, according to a like President in the Original Journal Book of the House of Commons, *An. 39. & 40. Regin. Eliz. Decemb. 20th. Tuesday*: although there be not mention there made in the Original Journal Book of the Upper House on this foresaid present *Thursday* the 16th. day of *February*.

But because it is difficult to conjecture the Express manner of the Lords proceedings at this time, therefore I can only apply the imitation of that President to this present occasion by probability.

The Lords having added certain Amendments to the Bill of Subsidy, which had formerly Passed the House of Commons, and been sent up from thence to their Lordships, ingrossed in Parchment, and so remained still the Bill of the same House; did cause the said Amendments to be written in Paper, and annexed them to the Bill, shewing the Line, and the place of the Line in the Bill, where such words or Amendments should be put in, and where any other former words in the Bill should be put out. And then their Lordships subscribed or indorsed under the Superscription or indorsment of the House of Commons in the same Bill, *à Ceste Bille avecque les amendments à mesme le Bille annexe les Seigneurs sont assentus*; and so the Bill was delivered to Mr. Attorney and Mr. *Vaughan* as aforesaid, to be carried to the House of Commons, together with the Bill whereby the Queen's Majesty is made inheritable to the late Queen *Ann* her Highness's Mother. But if the Lords had added any new Proviso to the foresaid Subsidy-Bill, that ought to have been sent down to the House of Commons written in Parchment. *ut vid. March 23. Thursday, postea.*

On

On *Munday* the 20th. day of *February*, The Bill of the Subsidy of Tonnage and Poundage which by common consent was concluded upon the third reading, was delivered to Mr. Solicitor and Mr. *Martin* Clerk of the Crown to be carried to the House of Commons, with certain Amendments to be put thereunto.

On *Tuesday* the 21th. day of *February*, two Bills were sent up to the Lords from the House of Commons, of which the first being the Bill for the Subsidy, and the second to restore the Queen in blood to the late Queen *Ann* her Highness's Mother, were each of them return'd *exped*.

The Bill also for the restitution of the First-fruits and Tents and Rents reserved *Nomine Decima*, and of Parsonages impropriate, to the Imperial Crown of this Realm, was returned from the House of Commons, with five Proviso's added thereunto by the said Commons, and certain Amendments to be reformed therein; which said Proviso's were written in Parchment, and the Amendments in Paper.

Whereas *J. Broxham* brought an Assize against the Lord *Willoughby* of *Parham*, to be Tried at the Assizes and Sessions now next to be holden at *Lincoln*, at the Complaint and Petition of the said Lord *Willoughby*, in respect of his necessary attendance at the Parliament, whereby he cannot attend with his Learned Council at the Assizes, the rather for that some of his Council are also Burgesses, and attend the Parliament, it is Ordered and Decreed by the Lords, that an Injunction presently be awarded out of the Chancery to the said *John Broxham*, his Counsellors and Solicitors commanding them and every of them, upon pain of 500 *l.* that none of them in any wise proceed in and to the Tryal of the said Assize, at this Assizes now next to be holden at *Lincoln*.

On *Wednesday* the 22th. day of *Feb.* the Bill for the Restitution in blood of Sir *James Crofte* was read *prima vice*.

On *Fryday* the 24th. day of *February*, the Bill for the restitution in Blood of Sir *Henry Gate* was read three times, and the like Bill for Sir *James Crofte* was read *Secunda* & *tertia vice*, and both sent down to the House of Commons by Mr. Solicitor and the Clerk of the Crown. The manner whereof *vide* on *Saturday* the 4th. of this instant *Feb.* foregoing.

On *Saturday* the 25th. day of *February*, the Bill for the Restitution in blood of the Lord *John Gray* was twice read, and after that, the Bill against Conveyance of Horses into *Scotland*, was read the first time, the said Bill for the Lord *Gray* was read the third time, and Passed, and sent to the House of Commons by Mr. Attorney, and Mr. Solicitor, which was done in honour of him.

On *Munday* the 27th. of *February*, the Bill whereby certain Offences be made Treason, with a Request, that a Proviso therein contained, be put out, and another devised by the House of Commons to be put in the stead thereof; The

Bill for the restoring the Supremacy to the Imperial Crown of this Realm, and Repealing divers Acts of Parliament made to the contrary, and the Bill for the restitution of the Lord Cardinal *Pool*, were sent up to the Lords from the House of Commons, the manner of which see on *Saturday* the 11th. day of this Instant *Feb.* foregoing. And the said Bill, touching Cardinal *Pool*, was read *prima vice* and committed to the Chief Justice, and the Queen's Attorney, *vid. March 3. postea*.

The Bill lastly against Conveyance of Horses into *Scotland*, was read *Secunda vice*, & *Commissa ad ingrossandum*.

On *Tuesday* the 28th. day of *February*, the Bill for the restoring of the Supremacy to the Imperial Crown of this Realm, and the Bill for the explanation of the attainder of the Lord Cardinal *Pool*, were each of them read *secunda vice*, but there is no mention made, that they were either Ordered to be ingrossed, or referred to Committees, because they had been sent from the House of Commons, on the day immediately foregoing.

On the first day of *March*, the Lord Keeper and divers other Lords met, but nothing was done save only the Parliament continued, the entrance whereof is thus erroneously set down in the Original Journal Book of the Upper House through the Clerks negligence, *viz.*

Dominus Cancellarius (mistaken for *Custos magni Sigilli*) *continuavit presens Parliamentum usq; in diem Crastinum hora nona.*

On *Thursday* the second day of *March*, the Bill of Recognition of the Queen's Highness's Title to the Imperial Crown of this Realm, the Bill of Subsidy for Tonnage and Poundage, the Bill touching Tanners and Sellers of Tann'd Leather, and the Bill touching Shoemakers and Curriers, were sent up to the Lords from the House of Commons.

The Bill lastly touching the Duke of *Norfolk*, and the Bill for the restitution of *Robert Rudston*, were each of them read the first time.

On *Fryday* the third day of *March*, the Bill for Treasons (which had been Read the second time on *Fryday* the 10th. day, and the third time on *Saturday*, the 11th. day of *February* foregoing, and then sent down to the House of Commons, although it be there omitted, as matter of no great moment; and from them sent back again to their Lordships on *Munday*, the 27th. day of the same Month, with a request that a Proviso therein contained, might be put out, and another by them inserted) was Committed to the Earl of *Suffex*, the Bishop of *Chichester*, the Bishop of *Carlile*, the Lord *Rich*, and the Lord *Hastings* of *Loughborough*, to confer therein with certain of the House of Commons, touching a Proviso to be put into the same; by which the Lords did express their great desire to keep Correspondency with the House of Commons, who had commended the inserting of the above-mentioned Proviso unto them.

Nota also, that whereas the Judges are, in most of the Journals of her Majesties Reign, although they be but Attendants of the Upper House, named Joynt Committees with the Lords in ordinary Bills, or else are named as Attendants upon them in matters of great Consequence, yet in the Original Journal Book of the Upper House, *A. isto primo Regin. Eliz.* there is no mention made of them as joynt Committees, or as Attendants upon their said Lordships, save only that on *Munday*, the 27th. day of *February* foregoing, a Bill upon the first reading is said to have been Committed to the Lord Chief Justice of the King's Bench, and the Queen's Attorney, which may rather be called a Reference, than a Commitment, as see on *Saturday* the 4th. day of *February* preceding; and therefore that they are not at all named with the Committees of the Lords (in all the aforesaid Journal Books) may doubtless be conceived to have happened through the Clerk's negligence: For in the very next ensuing Session of Parliament in *An. 5. Regin. Eliz.* they are seldom omitted, prout on *Tuesday* the 26th. day of *January*, on *Saturday*, the 30th. day of the same Month, as also on *Saturday*, the 20th. day of *March* then next following.

The Bill for Restitution of *Robert Rudston*, was read *secunda vice*, and again *tertia vice*, & *conclusa*.

The Bill also to revive a Statute made *A. 23. H. 8.* against the Conveyance of Horses, Geldings and Mares into *Scotland*, was read *tertia vice*, & *conclusa*, and the Bill touching the Duke of *Norfolk*, was read *secunda vice* & *Commiss' ad ingrossandum*.

Six Bills were brought up to the Lords from the House of Commons, of which the first being for the restitution in blood of the Lord *John Grey*; the second for restitution in blood of Sir *J. Gates* Knight, and the third for restitution in blood of Sir *James Croft* Knight, were each of them returned *conclus'*, the fourth was touching the changing of Gavelkind Land of the Lands of *Thomas Brown*, and *George Brown*, the fifth for the Incorporation of *Trinity Colledge* in *Cambridge*, and the last for assurance of Lands to the Lord *Wentworth*, the Lord *Rich*, and the Lord *Darcy*.

On *Saturday* the fourth day of *March*, the Bill to change the nature of Gavelkind Land, of the Lands of *Thomas Brown* and *George Brown*, was read the first time.

The Bill touching Tanners and Sellers of Tanned Leather, was read the first time, and the Bill for Shoemakers and Curriers, was read the second time, and both of them Committed to the Duke of *Norfolk*, the Earl of *Shrewsbury*, the Bishop of *London*, the Bishop of *Carlisle*, the Lord *Rich*, and the Lord *Willoughby*.

Dominus Thesaurar' continuavit presens Parliamentum usq; in diem Lunæ prox' hora nona.

Nota, That that there appeareth no Commission, or other Authority, in the Original

Journal Book of the Upper House, by which the Lord Treasurer supplied the Lord Keeper's place: but most probable it is, that either the Commission it self is negligently omitted by *Francis Spilman* Esq; at this time Clerk of the said House, or else that the said Lord Treasurer did continue it only upon her Majesties Verbal Authority and Command, as did the Lord Treasurer in the like Case, in the Session of Parliament, *A. 18. Regin. Eliz.* on *Saturday*, the third day of *March*.

On *Munday* the 6th. of *March*, the Bill for the Ratification of the Marriage between the Duke of *Norfolk*, and the Lady *Margaret* now his Wife, and for the assurance of certain Lands for her Joynture, was read *tertia vice* & *conclusa*.

The Bill also for the restitution in blood of *Harry Howard*, &c. younger Brother to the Duke of *Norfolk*, was read *prima vice*.

The Bill also for the Explanation of the restitution of the Lord Cardinal *Pool* was committed to the Archbishop of *Tork*, the Duke of *Norfolk*, the Earl of *Rutland*, the Bishop of *Carlisle*, the Lord *Rich*, the Lord *Willoughby*, and the Lord *Hastings* of *Loughborough*: but no mention is made of the reading thereof, which was doubtless omitted through the great Negligence of *Francis Spilman* Esq; Clerk of the Upper House, for this Bill was read *prima vice* on *Munday* the 27th. of *February* foregoing, and was Committed to the Lord Chief Justice of the King's Bench and the Queen's Attorney, to consider of it, as is probable, and to make report thereof, unto the Lords, which being done this day, and the Bill thereupon, as may likewise be gathered, read the second time, it was Committed to the Lords abovenamed, and on the morrow following it was read *tertia vice*, and Passed the House, and on *Wednesday* the 8th. of this instant *March* following was sent down to the House of Commons by Mr. *Lewes*, and Mr. *Vaughan*.

On *Tuesday* the 7th. day of *March*, the Bill for the explanation of the Repeal of the Attainder of the late Lord Cardinal *Pool*, was read *tertia vice* & *conclusa*.

The Bill also for the assurance of Lands to the Lord *Wentworth*, the Lord *Rich*, and the Lord *Darcy*, and the Bill for the Incorporation of *Trinity-Hall* in *Cambridge*, were each of them read, *prima vice*.

The Bill lastly for explaining the Statute made against ingrossing of Dead Victuals, and the Bill that *Gerfon Wroth* born in *Germany*, shall be reputed the Queen's natural born Subject, were sent up to the Lords from the House of Commons.

On *Wednesday* the 8th. day of *March*, the Bill for the explanation of the Statute against ingrossing of Dead Victuals, and the Bill for the true Answering of the Queen's Majesties Revenues, were each of them read *prima vice*.

Four other Bills also of no great moment, had each of them one reading; of which one being the

the Bill for the changing of the nature of Gavel-kind Lands of *Thomas Brown* and *George Brown*, and another, for the assurance of Lands to the Lord *Wentworth*, the Lord *Rich*, and the Lord *Darcy*, were each of them read *secunda vice*; but no mention made, that they were either Ordered to be ingrossed, or referr'd to Committees, because they had been sent from the House of Commons on the day next foregoing.

The Bill touching the Duke of *Norfolk*, and that concerning Cardinal *Pool*, were sent to the House of Commons by Mr. *Lewis*, & Mr. *Vaughan*.

On *Thursday* the 9th. of *March*, the Bill for the assurance of certain Lands to the Lord *Wentworth*, the Lord *Rich*, and the Lord *Darcy de Chiche*, was read *tertia vice* & *conclusa*, *dissentientibus Episcopo London*, *Meneven* & *Abbat' de Westm'*, the Bill for *Gerson Wroth* was read *tertia vice* & *conclusa*, and the Bill for exchange of the nature of Gavelkind Lands of the two *Browns*, was read also *tertia vice*, & *conclusa*, *dissentient' Duce Norfolciæ. Quatuor Comitibus, & tribus Baronibus.*

The Bill lastly for the true Answering of the Queen's Majesties Revenues was read *secunda vice*, & *Commissa ad ingrossand*.

On *Fryday* the 10th. day of *March*; the Bill for the Incorporation of *Trinity-Hall* in *Cambridge*, and the Bill for the true Answering of the Queen's Majesties Revenue, were, each of them read, *tertia vice*, & *conclusa*, and sent down to the House of Commons.

The Bill lastly for the explanation of the Statute against ingrossing of Dead Victuals, was read *secunda vice*, but no mention is made, that it was either referr'd to Committees, or Ordered to be ingrossed, because it had been sent from the House of Commons *Tuesday* the 7th. day of this instant *March* foregoing. v. a like Commitment on *Munday* 13th. day of *Feb.* foregoing.

On *Saturday* the 11th. day of *March* a Proviso to be annexed to the Bill of Treason, was read *prima* & *secunda vice*, & *commissa ad ingrossand*.

On *Munday* the 13th. day of *March* a Proviso to be annexed to the Bill of Treasons, was read *tertia vice* & *communi omnium procerum assensu conclusa*.

A Bill containing certain Provisoës to be annexed to the Bill of First-fruits and Tenths, was read *secunda vice* & *commissa ad ingrossand*.

The Bill lastly for the restoring of the Supremacy of the Imperial Crown of this Realm, and repealing divers Statutes made to the contrary, was read the second time, and Committed unto the Marquess of *Winchester*, the Lord Treasurer of *England*, the Duke of *Norfolk*, the Earl of *Westmerland*, the Earl of *Shewsbury*, the Earl of *Rutland*, the Earl of *Suffex*, the Earl of *Pembroke*, Viscount *Mountague*, the Bishop of *Exeter*, the Bishop of *Carlile*, the Lord *Clinton* Admiral, the Lord *Morley*, the Lord *Rich*, the Lord *Willoughby*, and the Lord *North*.

On *Wednesday* the 15th. day of *March*, a Bill containing six Provisoës to be annexed to the

Bill of First-fruits and Tenths, was read *tertia vice*, & *conclusa*, *Dissentientibus Archiepiscopo Eboracen'*, *Episcopo Winton'*, *Episcopo Wigorn'*, *Episcop' Landaven'*, *Episcop' Coven'*, *Episcop' Exon'*, *Episcopo Cestren'*, *Episcopo Carliolen'*, ac *Abbat' de Westm.*

Nota, that the Bill having Passed the Upper House before, on the 4th. day of *January* last past, was then opposed by all the Spiritual Lords there present, as now also upon the passing of those Provisoës and Amendments which had been added unto it, in the House of Commons: amongst which Spiritual Lords, the Abbot of *Westminster* did yet sit in Parliament, and gave his free voice; by which manner of alteration of the Form of Ecclesiastical Government, we may observe, with what mildness and wisdom, this pious Princess Queen *Elizabeth*, took it in hand, far differing from those furious and bloody Enterprizes and Confusions, practised in the Reign of her Sister *Mary*: and it is to be noted, that this Abbot of *Westm'*, with five other Abbots, and Abbesses were all, who were at this time left in *England*, and were deprived of their Promotions at the end of the Parliament, with fourteen Popish Bishops, amongst which were all these here named, (except the Bishop of *Landaffe* in *An. Dom.* 1559.) and others were Consecrated in the places of the said Bishops, where it is further to be noted, that of 9400 Ecclesiastical persons, settled in their several Promotions, but 177 left their Livings to continue in their Romish Idolatry.

A Bill being agreed upon by the Lords to be annexed to the Bill of Supremacy, was read 1^a. *vice*.

On *Thursday* the 16th. day of *March*, to which day the Parliament had been first continued, nothing was done, save only the continuance of Parliament by the Lord Keeper, *usq; in diem Crastinum hora nona*.

On *Fryday* the 17th. day of *March*, the Bill for certain Provisoës and Amendments to be put in the Bill of Supremacy, was read the second time, & *commissa ad ingrossand*.

On *Saturday* the 18th. day of *March*, the Bill for the restoring of the Supremacy to the Imperial Crown of this Realm, and repealing divers Acts of Parliament made to the contrary, with certain Provisoës added thereunto by the Lords, and sundry other Amendments, was read the third time, & *conclus' dissentientibus Archiepiscopo Eboracen'*, *Comite Salop*, *Vicecomite Monutacuto Episcopo London'*, *Episcopo Winton'*, *Episcopo Wigorn'*, *Episcopo Landaven'*, *Episcopo Coven'*, *Episcopo Exon'*, *Episcopo Cestren'*, *Episcopo Carliol'*, & *Abbas de Westm'*, *Et predicta Billa est Commissa Attornato & Solicitatori Reginæ in Domum Communem deferend*.

Here also we may still note the great Lenity and mercy of this great Queen, who suffered so many Heretical, and obstinately Popish Bishops to hold their Sees, to have free voices in Parliament, besides the Abbot of *Westm'*, who all thus opposed the just power and Authority, which

which the Princes of this Realm have, under God himself, within their Dominions; and which our Ancient Kings, under the darkest times of Popery, did easily discern, and not improbably aim at, as we may see frequently specified in the Ancient and most Authentick Records of this Kingdom, viz.

Rotulorum Patentium a. 3. Regis Johannis numero 8. & 28. Rot. Pat. a. 5. Reg. Joh. num. 15. Rot. Pat. a. 10. Reg. Joh. num. 3, ubi continetur saluus conductus pro Simone de Langeton Romanæ sedis Cardinale, ad tractand' cum certis Episcopis modo cum applicuerit securitatem faciat quod in hoc adventu suo malum Regi vel regno suo non quærent.

Rot. Pat. a. 22. H. 3. num. 2. & num. 3. Rot. Pat. a. 25. H. 3. num. 2. & num. 5. Rot. Pat. a. 28. H. 3. num. 6. Rot. Pat. a. 33. H. 3. num. 4. Rot. Pat. a. 34. H. 3. indors. num. 1. Rot. Pat. a. 39. H. 3. indors. num. 14. Rot. Pat. a. 42. H. 3. num. 35. Rot. Pat. a. 45. H. 3. num. 27. Rot. Pat. a. 48. H. 3. num. 31. Rot. Pat. a. 51. H. 3. num. 27.

Rot. Pat. a. 8. E. primi 3 & Rot. Pat. a. 9. E. 1. 2 in quibus continentur inhibitiones & aliæ literæ Regis missæ Joh. Archiepiscopo Cantuariensi, ac clero Angliæ in consiliis apud London & Lambeth convocatis, ne quid in eisdem attentarent in præjudicium Regis Coronæ aut dignitatis suæ Rot. Pat. a. 31. E. 1. 7. Rot. Romæ a. 34. & 35. E. 1. 4. 8. & 9, rot. pat. a. 35. E. 1. 3. Rot. Scotiæ a. 23. & 24. E. 1. 6.

Rot. Romæ a. 1. 2. & 3. E. 2. 5. 20. 22, 24, 25. & 27. Rot. Romæ a. 4. 5, 6, 7, 8, 9, & 10. E. 2. 14. 15. indors. ejusdem Rotuli 1. Rot. Romæ a. 11. 12, 13, & 14. E. 2. 1. & indors' ejusdem Rotuli: 2. Rot. Romæ a. 15, 16, 17, & 18. E. 2. 23. 24. & 30. Rot. Pat. a. 3. E. 2. in Scedula & 11. & 17. ibid. Rot. Pat. a. 11. E. 2. parte secunda, Rot. Pat. a. 15. E. 2. parte prima Rot. Pat. a. 16. E. 2. parte prima sub initio Rotuli Rot. Pat. a. 19. E. 2. parte prima.

Rot. Romæ a. 1. E. 3. 5. 6. & 8. Rot. Rom. a. 4. E. 3. 2. & 6. Rot. Romæ a. 7. & a. 8. E. 3. 6. & 9. Rot. Romæ a. 9. & a. 10. E. 3. 3. 4. & 14. Rot. Romæ a. 19. E. 3. 3. Rot. Romæ a. 17. E. 3. 1. 3. & 6. Rot. Romæ a. 20. E. 3. 1. 3.

Rot. Franciæ a. 17. E. 3. 6. & a. 28. E. 3. 2. Ubi memorabile hoc continetur, quod Rex E. 3. Misit quam plures Nobiles ad tractandum de pace cum Rege Franciæ coram Papa non ut coram Judice, sed ut privata persona, & tractatore & mediatore communi non in forma nec figura Ju dicij sed extrajudicialitè & amicabilitè.

Rot. Pat. a. 2. E. 3. parte secunda, Rot. Pat. a. 3. E. 3. parte prima, Rot. Pat. a. 3. E. 3. parte secunda Rot. Pat. a. 4. E. 3. parte prima, Rot. Pat. a. 7. E. 3. parte prima, Rot. Pat. a. 8. E. 3. parte prima, Rot. Pat. a. 11. E. 3. parte tertia, Rot. Pat. a. 12. E. 3. parte prima, Rot. Pat. a. 10. E. 3. parte prima, Rot. Pat. a. 14. E. 3. parte tertia, Rot. Pat. a. 15. E. 3. parte prima & secunda, Rot. Pat. a. 16. E. 3. parte prima, Rot. Pat. a. 15. E. 3. parte tertia bis, Rot. Pat. a. 16. E. 3. parte secunda bis, & parte tertia, Rot.

Pat. a. 17. E. 3. parte prima & tertia, Rot. Pat. a. 18. E. 3. parte secunda tertia & indors. Rot. Pat. a. 19. E. 3. parte prima & indors. bis, Rot. Pat. a. 19. E. 3. parte secunda, Rot. Pat. a. 19. E. 3. parte tertia & indors', Rot. Pat. a. 20. E. 3. parte prima sub initio Rotuli & indors', rot. pat. 21. E. 3. parte prima et secunda, rot. pat. a. 23. E. 3. parte prima et indors', rot. pat. a. 24. E. 3. parte prima, secunda et tertia indors', rot. pat. a. 25. E. 3. parte prima, secunda et tertia, et indors'; rot. pat. a. 26. E. 3. parte prima indors', parte secunda et tertia indors', rot. pat. a. 27. E. 3. parte tertia indors', rot. pat. a. 28. E. 3. parte secunda indors', rot. pat. a. 29. E. 3. parte tertia indors' sæpe, rot. pat. a. 3. E. 3. parte prima ibid. et parte secunda indors', rot. pat. a. 31. E. 3. parte secunda et tertia indors', rot. pat. a. 32. E. 3. parte prima indors. et ibid. parte tertia indors', rot. pat. a. 35. E. 3. parte prima indors', rot. pat. a. 34. E. 3. parte prima indors', rot. pat. a. 36. E. 3. parte prima et secunda indors', rot. pat. a. 37. E. 3. parte prima indors' et parte secunda et tertia indors', rot. pat. a. 38. E. 3. parte prima indors', rot. pat. a. 39. E. 3. parte secunda indors', rot. pat. a. 40. E. 3. parte prima indors', rot. pat. a. 41. E. 3. parte prima et parte secunda indors', rot. pat. a. 42. E. 3. parte secunda, rot. pat. a. 43. E. 3. parte secunda indors', rot. pat. a. 44. E. 3. parte prima et secunda indors', rot. pat. a. 45. E. 3. parte secunda et parte prima tertia, rot. pat. a. 47. E. 3. parte prima et secunda indors' bis, rot. pat. a. 48. E. 3. parte prima et secunda indors', rot. pat. a. 49. E. 3. parte prima et indors', rot. pat. a. 5. E. 3. parte prima indors', et rot. pat. a. 51. E. 3. circa mediam partem Rotuli & indors'.

Rot. Pat. a. 1. R. 2. parte prima indors', rot. pat. a. 2. R. 2. parte 1. et 2, rot. pat. a. 3. R. 2. parte prima indors. in quo Rotulo apparet, quod Rex R. 2. in die Coronationis suæ juratus fuit ad prosequendum omnes Provisores Curiae Romanæ contra leges et Statuta Edita. Rot. Pat. a. 3. R. 2. parte secunda indors', rot. pat. a. 4. R. 2. parte prima indors', rot. pat. a. 6. R. 2. parte prima indors', rot. pat. a. 7. R. 2. parte prima indors', rot. pat. a. 8. R. 2. parte prima indors', rot. pat. a. 9. R. 2. parte prima indors', & parte secunda indors', rot. pat. a. de A. 10. R. 2. parte prima & parte secunda indors', rot. pat. a. 11. R. 2. parte prima indors'.

Rot. Pat. A. 12. R. 2. parte prima Indors. Rot. Pat. A. 13. R. 2. parte prima & tertia Indors. Rot. Pat. A. 14. R. 2. parte prima & parte secunda, Indors. Rot. Pat. A. 16. R. 2. parte tertia Indors. Rot. Pat. A. 17. R. 2. parte prima.

Ubi apparet, quod collector Calveræ Apostolicæ in Hibernia Sacramentum suscepit quod totalitè evertēbat Primatum Papæ infra Regnum Angliæ attribuendo prerogativam ac summam potestatem Regi Domino suo. Rot. Pat. A. 18. R. 2. parte secunda continentur hæc verba, directā ad Provinciales Ordinis de Monte Carmeli attendentes, quod vos ad executionem Bullarum prædictarum seu aliquarum contentarum in eisdem aliqua vi vel autho-

authoritate earundem infra Regnum nostrum prædictum absq; licentia & authoritate nostra speciali procedere non potestis, nec debetis. Rot. Pat. an. 19 R. 2. part. prima & secunda, in dorf. Rot. Pat. an. 20 R. 2. part. 3. In quo continetur, quod Universitas Oxon. non patiatur Bullas Papales ibidem exerceri sub amissione libertatum suarum. Rot. Pat. an. 21 R. 2. part. 1.

There is also in *Rot. Pat. an. 3 R. 2. part. 1.* this rare President of the Kings denying the Pope certain profits he claimed in *England*, in quo patet, quod cum Urbanus Papa exigebat primos fructus omnium Francorum Cardinalium habentium dignitates infra Angliam ut ad se pertinentes, eo quod ipsi fuerunt sui adversarii, Rex non cognoscens ea vera esse sed clamans ea ad se pertinere jure regio, ex gratia sua tamen speciali in relevationem indigentiae Papæ concessit dicto Papæ duas Partes dictorum primorum fructuum ita quod tertia pars eorundem per dispositionem Regis sit in reparationem Domorum hujusmodi Cardinalium, &c. There are also three other excellent Presidents to this purpose in the same Kings Reign, viz. *Rot. Pat. an. 4 R. 2. part. 3. & Rot. Pat. an. 6 R. 2. part. 2. bis.*

These matters being thus faithfully and undeniably vouched out of the Records, or other Authority, touching the antient Rights and Privileges of the Crown of *England*, against the unjust Usurpations, and incroachments of the Bishop of *Rome*, which said Rights, her Majesty did, by this foregoing Act that passed this day, as aforesaid, seek to have restored and reunited to her Royal Authority; Now follows the continuance of the Parliament, erroneously entred through the neglect of the Clerk in these words, viz. *Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; ad diem crastinum* (mistaken for *diem Lunæ proximum*) *hora nona.*

The same day were entred divers Proxies.

On Monday the 20th day of March, 14. Bills were brought up to the Lords from the House of Commons; viz. The Bill for the restitution in blood of *Rudston* Esq; The Bill for repeal of the Attainder of the late Cardinal *Poole*. The Bill for the Incorporation of *Trinity-Hall* in *Cambridge*. A Bill for seditious words and rumors. The Bill whereby certain offences be made Treason. The Bill to take away all pains and penalties made for Religion in Queen *Maries* time. The Bill for the assurance of Lands, late parcel of the Bishoprick of *Winchester*, to divers Patentees of King *Ed. 6.* The Bill to revive a Fair at *Lynn Regis* in *Norfolk*; which three last mentioned Bills were each of them read *prima voce*. The Bill to make a Chappel in *Caermarthenshire* to be a Parish Church. The Bill to restore in Blood the Sons and Daughters of *Ed. Lewkenor* Esq; The Bill touching the Marriage of the Duke of *Norfolk*. The Bill for making Ecclesiastical Laws by 32. persons. The Bill for the Assizes and Sessions to be kept at *Stafford*. And the Bill for the allowance of Sheriffs upon their Accounts.

On Tuesday the 21th day of March, A Proviso and certain amendments annexed by the Commons to the Duke of *Norfolk*s Bill were read.

Four Bills also of no great moment, had each of them one reading; of which the first, being the Bill to revive a Fair at *Lynn Regis*; was read the second time, but no mention is made that it was either Ordered to be ingrossed, or referr'd to Committees, because it had been sent from the Commons Yesterday.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam post meridiem.

About which hour, the Lord Keeper and divers other Lords being set, the Bill for ratification of the marriage between the Duke of *Norfolk* and the Lady *Margaret* now his Wife, and for the assurance of certain Lands for her Jointure, with a new Proviso added by the Commons, *conclusa est*, being read *tertia vice*, *dissentientibus Archiepiscopo Eboracen. Episcopis Londin. Winton. Landaven, Cestren. Carleol. & Abbate de Westm.*

The Bill for restitution in blood of the Sons and Daughters of *Ed. Lewkenor* Esq; was read *prima, secunda & tertia vice*, & *conclusa*. ¶ *Quod nota*, That this Bill was read thrice at one time.

The Bill for the making of a Chappel in *Caermarthenshire* to be a Parish Church; The Bill that the Queens Highness may make Ordinances and Rules in Collegiate Churches, Corporations, and Schools; The Bill for Assizes and Sessions to be kept in the Town of *Stafford*, And the Bill for the assurance of Lands, parcel of the Bishoprick of *Winchester*, to divers Patentees of King *Edm.* the Sixth, were each of them read the second time, but no mention is made that they were either ordered to be ingrossed, or referr'd to Committees; because they had been sent from the House of Commons on the two days foregoing. *Vide consimilit.* on Wednesday the 15th day of February foregoing.

On Wednesday the 22th day of March, six Bills of no great moment had each of them one reading, and the Bill for the Assurance of Lands, late parcel of the Bishoprick of *Winchester*, to divers Patentees of King *Ed. VI.* being the 6th, was read *tertia vice*, & *conclusa*, *dissentientibus Archiepiscopo Eboracen. Marchion. Winton. Episcopis Londin. Winton. Wigorn. Landaven. Coven. Exon. Cestren. Carleol. & Dominis Stafford, Dudley, & North, & Abbate de Westm.*

The Bill for restitution of the first-Fruits, and Tenths, and Rents reserved, *Nomine Decime*, and of Parsonages Improprate to the Imperial Crown of this Realm, was returned from the House of Commons *conclusa*.

The Bill for restoring the Supremacy to the Imperial Crown of this Realm, and for repeal of divers Acts of Parliament made to the contrary, with a new Proviso annexed by the Commons, was read *prima, secunda & tertia vice*, & *conclusa*, *dissentientibus Archiepiscopo Eboracen. Episcopis Londin. Winton. Landaven. Coven. Exon. Cestren.*

Cestren. Carleol. & Abbate de Westmonast.

Here also we may note the perverse obstinacy of these Popish Clergy-men, who having before opposed in vain the passing of the Bill on *Saturday* the 18th day of this Instant *March* foregoing, do here likewise do their uttermost to stop even the Proviso which was added unto it by the House of Commons: And yet how just and equal this Bill was, see my Animadversion upon the said 18th day of *March*, when the said Bill passed.

The Bill to continue the Act last made against Rebellious Assemblies, was committed to the Earl of *Suffex*, the Earl of *Bedford*, the Lord *Rich*, and the Lord *North*.

The Bill lastly, for Admitting and Consecrating of Archbishops and Bishops, and concerning Tanners and selling of Tann'd Leather, were each of them read *prima vice*.

Four Bills were brought up to the Lords from the House of Commons, of which the first was the Bill for the reviving of a Statute made *an. 23 Hen. 8.* touching the conveying of Horses, Geldings, and Mares, into *Scotland*. The second, that carrying of Leather, Tallow, or Raw Hides, out of the Realm for Merchandize, should be Felony, was read, *prima & secunda vice*. The third touching Leases to be made by spiritual persons, was read *prima vice*. And the last for revoking divers Licenses granted for divers things, prohibited by the Law of the Realm.

The Bill for Admitting and Consecrating of Archbishops, was read *secunda vice*; but no mention is made, that it was either Ordered to be engrossed or referr'd to Committees, because it had been sent from the House of Commons.

The Bill lastly for the Assizes to be holden in the Town of *Stafford*, was delivered to the Queen's Attorney, and Solicitor, to be carried into the House of Commons.

On *Thursday* the Bill for the Assizes to be holden in the Town of *Stafford*, was returned from the House of Commons, & *conclusa*.

The Bill touching Tanners, and selling of Tann'd Leather, was read *tertia vice*, & *conclusa*, with certain amendments to be put to it; after which it was deliverd to the Queen's Attorney and Solicitor, *in Domum Communem deferenda. Et postea introduct. à Domo Communi conclus.*

The Bill for the Admitting and Consecrating of Archbishops and Bishops, was read *tertia vice*, & *conclusa*. And the Bill, that carrying Leather, Tallow, or Raw Hides, out of the Realm shall be Felony, was read *tertia vice*, & *conclusa. dissensiente Domino Lumley*.

The Bill touching Leases to be made by Spiritual persons, was read *secunda vice*.

The Bill lastly, for the Explanation of the Statute against the Ingrossing of dead Victuals, with a Proviso added thereunto by the Lords, was read *tertia vice*, & *conclusa*, and sent by the Queen's Attorney and Solicitor to the House of Commons.

In which Bills sending down, because both the


manner of writing the said Proviso, and the subscription of the Lords under it, do differ from all ordinary proceedings if the Bill had passed the Upper House without a Proviso, therefore I have caused the whole manner and form thereof to be added to a like president in the Original Journal-Book of the House of Commons, *an. 39 & 40 Regi. Eliz. Decemb. the 20th Tuesday*, although there be no mention thereof made in the Original Journal-Book of the Upper House on this aforesaid present *Thursday*, the 23th day of *March*; but because it is difficult to conjecture the express manner of the Lord's Proceedings at this time, therefore I can only apply the imitation of that president to this present occasion by probability.

The Lords having added a Proviso to the Bill for Explanation of the Statute against the ingrossing of Dead Victuals, which had formerly passed the House of Commons, and been sent up from thence to their Lordships, engrossed in Parchment, on *Tuesday* the 7th day of this Instant *March* foregoing, and so remained still the Bill of the same House, did cause the said Proviso to be written in Parchment, and annexed it to the Bill shewing the line and the place of the line where the Proviso should be put in, and then their Lordships subscribed, or endorsed under the superscription or indorsement of the House of Commons in the same Bill, *à ceste Bille avecq; une provision annexe les Seigneurs sont assentus*. And so the Bill was delivered to the Queens Attorney and Solicitor as aforesaid, to be carried to the House of Commons. But if the Lords had added any amendments to the foresaid Bill, those ought to have been sent down to the House of Commons written in Paper. *Ut vide*, on *Thursday* the 16. day of *February* foregoing.

The Parliament continued and nothing done, till *Tuesday* the 4. day of *April*, and then the Bill (that the Queens Majesty, upon the avoidance of any Arch-Bishoprick, or Bishoprick, may exchange the temporal possessions thereof with Parlonages impropriate, &c.) was read the first time.

And then the Parliament continued till the next day at nine of the Clock, on which day were several Proxies, both ordinary and extraordinary, entred.

On *Wednesday* the 5. day of *April*, the Bill for Leases to be made by spiritual persons was committed to the Duke of *Norfolk*, the Earl of *Rutland*, the Bishop of *Carlisle*, the Lord *Rich*, the Lord *North*, the Lord *Hastings* de *Loughborough*, and the Abbot of *Westminster*.

 *Nota*, that this Bill had its second reading on *Thursday*, the 23. of *March* foregoing, and was not committed until this day, of which there want not other Presidents during her Majesties Reign; as on *Monday* the 13. day of *February* foregoing, and on *Thursday* the 6. day of this Instant *April* ensuing.

The Bill whereby the Queens Majesty, upon avoidance of any Arch-Bishoprick or Bishoprick, may

may resume the temporal possessions thereof into her hands, recompensing the value thereof with Parsonages impropriate, &c. was read the second time.

And then the Parliament continued till *Thursday* the 6. day of *April*, on which day the Bill, whereby the Queens Majesty, upon the avoidance of any Archbishoprick, may resume the Temporalties thereof, recompensing the just value thereof with Parsonages impropriate, &c. was Order'd to be ingrossed.

¶ *Nota*, This Bill was read the second time yesterday, and was not Ordered to be ingrossed until this day; of which nature there want not other Presidents during her Majesties Reign, where a Bill being read, *secunda vice*, on one day, was referr'd to Committees on another ensuing; *proit vide*, on *April* the 5. immediately foregoing: But at this day, it is the constant rule and observation of the Upper House, that no Bill be either Ordered to be ingrossed, or referr'd to Committees, but upon that very day on which it is read.

And then the Parliament continued till next day at nine of the Clock. The Bill giving Authority to the Queens Highness, upon the avoidance of any Arch-Bishoprick or Bishoprick, to take into her hands the temporal possessions thereof, recompensing the same with Parsonages impropriate, was read *tertia vice*, & *conclusa*, *dissentientibus Archiepiscopo Eboracen. Episcopis London. Wigorn. Coven. Exon. Cestren. Carleol. & Abbat. de Westm.* And it was delivered to the Queens Solicitor and Mr. *Vaughan*, to be carried to the House of Commons.

And then the Parliament by several continuances continued, and nothing done till *Friday* the 14. day of *April*, on which day four Bills were brought up to the Lords from the House of Commons; of which the first, being the Bill against the deceitful using of Linnen; the second that Craftsmen in *Kent* and *Sussex* shall inhabit in Towns near the Sea-Coasts; and the third, being to revive the Act of Parliament made *Anno 5 Ed. 6.* for keeping of *Holydays* and *Fasting-days*, were each of them read *prima vice*. And the fourth and last, was the Bill for restoring to the Crown the Ancient Jurisdiction over the State Ecclesiastical and Spiritual, and abolishing all Foreign Power repugnant to the same; *vid.* touching this Bill on *Saturday* the 29. day of this Instant *April* ensuing.

And then the Parliament continued till next day at nine of the Clock. And the Bill against deceitful using of Linnen-Cloth, The Bill that Craftsmen in *Kent* and *Sussex* shall inhabit near the Sea Coasts, And the Bill to revive the Act of Parliament made *An. 5 Ed. 6.* for keeping of *Holydays* and *Fasting-days*, were each of them read *secunda vice*: but no mention is made that they were Ordered to be ingrossed, or referr'd to Committees, because they had been sent from the House of Commons on yesterday foregoing.

The Bill lastly restoring the Ancient Jurisdiction over the State Ecclesiastical and Spiritual, to the Crown, and abolishing all Foreign Power repugnant to the same, was read *prima vice*; *vide* touching this Bill on *Saturday* the 29. day of this Instant *April* ensuing.

The Parliament continued till *Monday* the 17. of *April*: And then the Bill against the deceitful using of Linnen-Cloth, was read *tertia vice*, & *conclusa*, *dissentiente Com. Arundel.* And the Bill for the restitution in blood of *Henry Howard* and *Katherine* Wife unto the Lord *Berkeley*; & *communi omnium Procerum assensu fuit conclusa.*

The Bill that Craftsmen in *Kent* and *Sussex* shall inhabit in Towns near the Sea-Coasts, was read *tertia vice*, & *rejecta.*

The Bill lastly, for restoring to the Crown the Ancient Jurisdiction over the State Ecclesiastical and Spiritual, and abolishing of Foreign Power repugnant to the same, was read *secunda vice*; & *commissa Duci Norfolc. Comiti Arundel, Comiti Salop, Comiti Wigorn. Comiti Rutland, Comiti Sussex, Comiti Bedford, Vicecomiti Mountacute, Episcopo London. Episcopo Elien. Episcopo Carleol. & Domino Admirallo & Camerario, ac Domino Rich, Domino Hastings de Loughborough, ac Domino St. John de Blestoe*; *vide* concerning this Bill on *Saturday*, the 29. day of this Instant *April* ensuing.

The Parliament by several continuances continued till *Tuesday* the 25. day of *April* at nine of the Clock in the Morning; and then nine Bills were brought up to the Lords from the House of Commons; of which the second was the Bill for Shipping in *English Bottoms*, and the third and fourth, touching *Frizes*, called *Pagaments*, and concerning the buying and selling of Horses within a certain time, were each of them read *prima vice*. The fifth was touching the Uniformity of Common-Prayer, and Service in the Church, and Administration of the Sacraments: The sixth was, touching *Hexam* and *Hexamsire* in the County of *Northumberland*. The seventh, to revive an Act made for killing of *Rookes* and *Crowes*. The eighth was to make good Leases, Grants of Offices, and Copyholds, made by *Nicholas Ridley*, late Bishop of *London*. And the ninth and last being for preservation of *Spawn* and *Fry of Fish*, was read the first time.

A Proviso to be annexed to the Bill for the Supremacy, was read *prima & secunda vice*, & *commissa ad ingrossandum*; *vide* touching the said Bill, and Proviso, on *Saturday* the 29. day of this Instant *April* ensuing.

The Bill for the restitution of *Gregory Fynes*, was read *prima, secunda & tertia vice*, & *communi omnium Procerum assensu conclusa*; and it was then presently delivered to Sir *Richard Read* and the Clerk of the Crown, to be carried down to the House of Commons. ¶ *Quod nota.*

The Parliament continued till *Wednesday* the 26th Day of *April*. And then the Bill for Shipping in *English Bottoms*, and the Bill to make good Leases, Grants of Offices, and Copyhold

pyhold Lands, made by *Nicholas Ridley*, late Bishop of *London*, were each of them read *prima vice*.

The Bill restoring to the Crown the Ancient Jurisdiction over the State Ecclesiastical and Spiritual, and abolishing all Foreign Power repugnant to the same, with a Proviso added thereunto by the Lords, were read *tertia vice*, & *conclus. dissentientibus Archiepiscopo Eboracen. Vicecomite Mountague, Episcopo Londin. Episcopo Elien. Episcopo Wigorn. Episcopo Landaven. Episcopo Coven. Episcopo Oxon. Episcopo Cestren. Episcopo Carleolen. ac Abbate de Westminster, & commissæ Magistro Weston servienti ad Legem, & Attornato Domine Regine ad Communes deferend.*

¶ *Nota*, That all these Bishops, except the Bishop of *Ely*, did oppose the passing of a former-Bill, much to this effect and purpose, on *Saturday* the 18. day of *March* foregoing; although with as little success to hinder the passing of the Bill then, as now; and yet how little reason these Popish Bishops had, thus stiffly and obstinately to resist the passing of this Bill, doth fully appear by my Animadversion, which I have caused to be entred at large, *Quam vide in dicto 18. die Martii*; vide also, how these two Bills hapned to pass both the Houses, to one and the same purpose, in another of my Animadversions, which I have caused to be inserted on *Saturday* the 29. day of this Instant *April* ensuing.

The Bill lastly for the *Uniformity of Common Prayer*, and *Service in the Church*, and *Administration of the Sacraments*, was read *prima vice*.

And then the Parliament continued till two of the Clock in the Afternoon of the same day; about which hour in the Afternoon, the Lord Keeper, and divers other Lords meeting, six Bills of no great moment, had each of them one reading, of which the second being the Bill for Shipping in *English Bottoms*, The third touching buying and selling of *Horses*, within a certain time, The fourth touching *Friizes* called *Pagaments*, And the last, to make Good Leases, Grants of Offices, and Copyhold Lands by *Nicholas Ridley*, late Bishop of *London*, were each of them read *secunda vice*; but no mention is made that they were either to be referred to Committees, or Ordered to be ingrossed, because they had been sent from the House of Commons on *Tuesday*, the 25. day of this instant *April* foregoing.

And then the Parliament continued till next day at nine of the Clock in the Morning, at which time the Bill for buying and selling of *Horses* within a certain time, and the Bill for Shipping in *English Bottoms*, were read *tertia vice*, & *conclusæ*.

The Bill touching *Friizes* called *Pagaments*, was read *tertia vice*, & *rejecta*.

The Bill lastly, touching the reviving of the Act for killing of *Rooks* and *Crows*, and the Bill for the *Uniformity of Common-Prayer*, and *Service in the Church*, and the *Administration of Sacraments*, were each of them read the second time.

Three Bills were brought up to the Lords from the House of Commons, of which the first was, For the searching of *Woollen-Cloth*; The second, whereby the use and practice of *Enchantments*, *Witchcraft* and *Sorcery* is made Felony; And the last, being the Bill to continue the Act made against *Rebellious Assemblies*, was read the first time.

The Parliament continued till *Friday* the 28. day of *April*, at nine of the Clock. And then three Bills of no great moment, had each of them one reading, of which the third being the Bill to continue an Act against *Rebellious Assemblies*, was read the second time.

The Bill for the *Uniformity of Common-Prayer*, and *Service in the Church*, and the *Administration of Sacraments* was read *tertia vice & conclusa, dissentientibus Archiepiscopo Eborac.* Marchione Winton. Comite Salop. Vicecomite Mountague, Episcopis Londin. Elien. Wigorn. Landaven. Coven. Exon. Cestren. Carleol. ac Dominis Morley, Stafford, Dudley, Wharton, Rich and North, vide Apr. 29.*

Two Bills were brought up to the Lords from the House of Commons, of which the first was the Bill for restoring to the Crown the Ancient Jurisdiction over the State Ecclesiastical and Spiritual, and abolishing all Foreign Power repugnant to the same, with a new Proviso added thereunto by the Commons; which see in *principio diei sequentis*. And the second of the said Bills was, limiting time for laying on Land Merchandizes from beyond the Seas, and touching Customs for sweet Wines.

The Parliament continued till *Saturday* the 29. day of *April* at nine of the Clock in the Forenoon; on which day a Proviso annexed by the Commons to the Bill, for restoring to the Crown the Ancient Jurisdiction over the State Ecclesiastical and Spiritual, and abolishing all Foreign Power repugnant to the same, was read *tertia vice & conclusa*; but it rather seemeth, that this Proviso had at this time three readings, and so passed; and 'tis very probable, that either the Bishops, having had so much success in opposing this Bill on *Wednesday* the 26. of this Instant *April* foregoing, did now forbear to oppose the passing of the new Proviso added unto it, or else that the Clerk was mistaken in the entrance of it; for it seems here, by the Original Journal Book, that this Proviso passed *nullo dissentiente*.

¶ *Nota*, That this Proviso here named, to have passed the House this day, was part of that Bill for the Supremacy, to which her Majesty gave her Royal Assent; And is the first Statute Printed *inter Statuta an. 1. Reg. Eliz.* And it is as true, that there was a former Bill touching the Supremacy, which the two Houses laboured long about, although it seemeth it came afterwards to nothing. And the Bill (to which this foregoing Proviso was annexed) was received in its stead: Yet because the mature deliberation and long debatement of the two Houses therein may appear, it will not be amiss to make some obser-

observation upon it; for the said former Bill having first past the House of Commons (as appears by the Original Journal Book thereof, fol. 193. b.) on *Saturday* the 25. day, was sent up to the Lords on *Monday* the 27. day of *February* foregoing; and had with them its first reading on *Tuesday* the 28. day of the same Month; And on *Monday* the 13. day of *March*, the said Lords having given it a second reading, did, notwithstanding that it had passed the House of Commons, refer it to divers Committees there named; who did, it seems, add divers Provisoos thereunto, containing the substance of a new Bill to be annexed to the old Bill, and which with it made but one Act or Statute, and had its first reading on *Wednesday* the 15. day, and its second reading on *Thursday* the 16. day of the same Month, and on *Saturday* the 18. day thereof. Also both the old Bill sent up from the House of Commons, and the Provisoos and Amendments annexed unto it, in nature of a new Bill, were *tertia vice lect.* and passed the Lords, notwithstanding the malicious opposition of divers Popish Bishops, although this Bill did, upon the matter, declare no more than the Antient Kings of this Realm had always aimed at; which said new Provisoos and Amendments, being in the nature of a new Bill, were the same day sent down to the House of Commons, with their old Bill; where the said Provisoos and Alterations, added by the Lords, had their first reading on *Monday* the 20. day, their second on *Tuesday* the 21. day, and their third on *Wednesday* the 22. day of the aforefaid *March* preceding; and the said old Bill, touching the Supremacy, with those new provisions and alterations annexed to it, and now passed also by the House of Commons, were the same Forenoon returned up again unto their Lordships, with a new Proviso added by the said Commons thereunto; which said new Proviso was then read also, *prima, secunda, & tertia vice*, and passed in the Upper House.

But whether the many new Additions and Alterations in this foregoing Bill, had made some confusion in it, or that the House of Commons disliked that their Bill formerly passed with them, had received so much reformation in the Upper House, or for what other cause I know not; most certain it is, that they had no desire the said former Bill should be made a perpetual Law by her Majesties Royal Assent; and thereupon, they framed a new Bill to the like purpose, (in which I suppose they included also the substance of all the Additions, Provisoos, and Amendments, which the Lords had annexed to their former Bill) which had its first reading in the House of Commons, (as appears by the Original Journal Book of the same House fol. 207. a.) on *Monday* the 19. day of this Instant *April*, being thus intituled (much differing from the title thereof here annexed, or after added, before the Printed Statute,) viz. *The Bill to avoid the usurped power claimed by any Foreign Potentate in this*

Realm, and for the Oath to be taken by spiritual and temporal Officers. After which, it had its second reading on *Wednesday* the 12. day, and its third reading on *Thursday* the 13. day of the same Month, where also it is entred with this new title, viz. *The Bill for restoring the spiritual Jurisdiction to the Imperial Crown of the Realm, and abolishing Foreign Power*: And in the inner Margent of the said Journal Book, fol. 208. a. over against the beginning of the said title, is written *Judicium Assent.* which sheweth, that upon the said third reading, it passed the House; after which, on the next day following, being *Friday*, it was, with three other Bills, sent up to the Lords; And on *Saturday* the 15. day of the said *April*, it was read *prima vice* in the Upper House. And on *Monday* the 17. day thereof next ensuing, it was read there *secunda vice*, and thereupon committed to divers Peers, (as the former Bill in this great and important cause had been before refer'd to Committees on *Monday* the 13th day of *March* preceding) although it had been sent up from the Commons, and had passed their House in such manner and form as the present Bill had been passed by them. And as to that said former Bill, so to this also, (as it is easie to be gathered) did the Lords Committees make some addition, although but of one new Proviso, which was read *prima & secunda vice*, on *Tuesday* the 25th day of this Instant *April*; after which, both the Bill it self, and that new Proviso, had their third reading, and passed the Upper House on *Wednesday* the 26th day of the same Month; and the said Bill, with the said new Proviso, written in Parchment, were at the same time sent down to the House of Commons by Serjeant *Weston*, and the Queens Attorney, where the said new Proviso, added by the Lords, was passed, and the Bill returned again from them unto their Lordships on *Friday* the 28th day of this Instant *April*, with another new Proviso added by them, although, through the great negligence of *Scymour* Esq; now Clerk of the same House, there be no mention at all of the sending down of the said Proviso, passing it, or adding of the new Proviso, but only of the returning the same to the Lords *Apr.* 27. in the Original Journal Book of the same House. To which new Proviso also, it should seem, the Lords gave three readings this present day, and so passed it. And it is probable, that it happened only through the error of *Francis Spilman* Esq; Clerk of the Upper House, that the said Proviso is set down to have been read only *tertia vice*, this Instant *Saturday*, the 29th day of *April*.

The Bill also limiting the times for laying on Land Merchandizes from beyond the Sea, and touching the Custom of Sweet Wines, and the Bill for the continuance of certain Statutes, were each of them read *prima vice*.

The Bill touching *Hexham* and *Hexhamshire* in the County of *Northumberland*; and the Bill, whereby the use or practice of *Incantments, Witch-*

Witchcrafts and *Sorceries* is made Felony, were each of them read *secunda vice*.

Three Bills were brought up to the Lords from the House of Commons, of which the first Bill set down in the Original Journal Book to have been brought up as aforesaid, is thus intituled, viz. *An Act for Uniformity of Common-Prayer and Service in the Church, and the Administration of the Sacraments, conclus.* which doubtless was so entred, through the negligence of *Francis Spilman* Esq; at this time Clerk of the Upper House. For it is plain, that no such Bill was remaining at this time in the House of Commons, and that only two other Bills, the one to annex to the Crown certain Religious Houses, &c. and the other touching the Garbling of Feathers, &c. were sent up by Mr. *Vicechamberlain*, as is there set down, fol. 213. a. which two Bills are also set down in the Original Journal Book of the Upper House.

For this Bill touching the Unity of Service in the Church, &c. was passed in the House of Commons upon the third reading, on *Thursday* the 20th of this Instant *April* foregoing, as appears by the Original Journal Book of the same, fol. 210. a. and was from thence sent up to the Lords on *Tuesday* the 25th day, and was read *prima vice* on *Wednesday* the 26th, and *secunda vice* on *Thursday* the 27th of this foresaid *April* preceding, and lastly it had its third reading, and passed the House on *Friday* the 28th day of the same Month, although it were opposed by the Archbishop of *York*, the Marquess of *Winchester*, the Earl of *Shrewsbury*, Viscount *Mountague*, the Bishop of *London*, the Bishop of *Ely*, the Bishop of *Worcester*, the Bishop of *Landaff*, the Bishop of *Coventry* and *Lichfield*, the Bishop of *Exeter*, the Bishop of *Chester*, the Bishop of *Carlisle*; the Lord *Morley*, the Lord *Stafford*, the Lord *Dudley*, the Lord *Wharton*, the Lord *Rich*, and the Lord *North*.

In which may there still be observed the obstinacy and boldness of the *Popish* Bishops, who opposed all things that tended but to the least reformation of Idolatry and Superstition, or abolishing the usurped authority of the Bishop of *Rome* (it seemeth that the Abbot of *Westminster* was now absent, because his negative voice, which was never wanting, is not here mentioned.) Of the temporal Lords, the most settled to Popery seem to have been the Viscount *Mountague* and Earl of *Shrewsbury*; but as for the Marquess of *Winchester*, and these other six Barons, they are seldom mentioned to have opposed, either the Act for restoring the Supremacy, or any other touching Ecclesiastical matters, except this only, concerning the Book of Common-Prayer; the reformation of which; being so little differing from the old form (as that it hath given, and yet doth give occasion of offence and stumbling to many weak ones amongst us) it is the more to be marvelled at, that so many should oppose it: and the rather also, because most of the *Papists* of *England* did come to our Church, and

heard Divine Service ordinarily, till the eleventh Year of the Queen, when the Bull of Pope *Pius Quintus* enforced not only their wilful and obstinate separation, but drew on and necessitated many of those Laws which were afterwards made against them, an. 13. an. 23. & an. 27 Reg. Eliz.

The Bill lastly, to continue the Act last made against *Rebellious Assemblies*, was read *tertia vice & conclusa*, and delivered to Mr *Vaughan*, and the Clerk of the Crown, to be carried to the House of Commons.

The Parliament continued until *Monday*, the first of *May* at nine of the Clock in the Forenoon. Then the Bill for the preservation of *Spawn* and *Fry* of *Fish*, The Bill limiting the times of laying on Land Merchandizes from beyond the Seas, and touching Custom for Sweet Wines, And the Bill for the continuation of certain Statutes, were each of them read the second time.

The Bill lastly to make good Leases, Grants of Offices, and Copyhold Lands, made by *Nicholas Ridley*, late Bishop of *London*, was read *tertia vice*, & rejecta.

Then the Parliament continued till two of the Clock in the Afternoon of the same day, about which hour, the Lord Keeper, with divers other Lords Assembling, one Bill of no great moment was read *prima vice*, which was, for the Garbling of Feathers and Flocks to be sold in Beds and Cushions.

Then the Parliament continued till next day at nine of the Clock in the Forenoon, at which time the Bill for Garbling of Feathers was read the second time.

Two Bills also had each of them their third reading, and passed the House, of which one being the Bill for laying on Land Merchandize from beyond the Seas, and touching Custom for Sweet Wines, was sent down to the House of Commons, by *Weston*, Serjeant at Law, and the Clerk of the Crown.

The Bill lastly, to annex to the Crown certain Religious Houses, &c. was read *prima vice*.

Six Bills were brought up to the Lords from the House of Commons, of which the third being the Bill that the Queens Majesty by Commission may examine the Causes of deprivation of spiritual persons, and restore them again, And the fifth for continuing the making of Woollen Cloaths in divers Towns in the County of *Essex*, were each of them read *prima vice*; And the sixth and last was, the Bill that Timber shall not be felled to make Coals for burning of Iron.

Then the Parliament continued till *Wednesday* the 3^d of *May* at nine of the Clock in the Forenoon, at which time, five Bills of no great moment, had each of them one reading, of which the first was the Bill that Timber shall not be felled to make Coals for burning of Iron; The second for continuing the making of Woollen Cloths, in divers Towns in the County of *Essex*; The third, that the Queens Majesty by Commission,

sion may examine the deprivation of spiritual persons, and restore them again; And the last, being the Bill to annex to the Crown certain Religious Houses, and to reform certain abuses in Chantries, were each of them read *secunda vice*.

The Parliament continued till *Friday May* the 5th at eight of the Clock in the Morning. And then the Bill that Timber shall not be felled to make Coals for the burning of Iron, The Bill for continuing the making of Woollen Cloth in divers Towns in the County of *Essex*, And the Bill that the Queens Majesty by Commission may examine the Causes of deprivation of spiritual persons, and restore them again, were each of them read *tertia vice & conclusæ*.

The Bill lastly to annex to the Crown certain Religious Houses, and to reform certain abuses in Chantries, was read *tertia vice una cum tribus provisionibus eidem Billæ annexis per Dominos, quæ prima, secunda & tertia vice lectæ erant & conclus. dissentientibus Archiepiscopo Eboracen. Episcopis London. Elien. Wigorn. Landaven. Coven. Exon. Cestren. Carleol. Abbate de Westm. ac Vicecomite Mountague, & commiss. Magistro Weston Servienti ad Legem & Attornato Regine in Domum Communem deferend.*

Two Bills were brought up to the Lords from the House of Commons, of which the first was the Bill for the continuance of certain Statutes, with a Proviso added thereunto by the Commons, to which the Lords would not agree, but sent it down again to be passed by them, leaving out the Proviso. And the second being the Bill for limiting the times for the laying on Land Merchandize from beyond the Seas, and touching Customs for Sweet Wines, was returned *conclus.*

Then the Parliament continued till the next day at nine of the Clock, at which time the Bill for the preservation of the *Spawn and Fry* of Fish, was read *tertia vice, & conclus. communi omnium Procerum assensu, dissentiente Episcopo Elien.*; and it was delivered to Sir Richard Read and the Clerk of the Crown in *Domum Communem deferend.*

The Bill also, that Timber shall not be felled to make Coals for burning of Iron, The Bill for the continuance of certain Statutes, And the Bill to annex to the Crown certain Religious Houses, and to reform certain abuses in Chantries, were returned from the House of Commons *conclus.*

On *Monday* the 8th day of *May*, the Lord Keeper and divers other Lords, both Spiritual and Temporal, met in the Upper House, but nothing was done, save only the Parliament continued by the Lord Keeper, which is entred in the Original Journal-Book of the same House, in manner and form following.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam post Meridiem.

About which hour in the Afternoon, the Queens Majesty came in person into the Upper

House of Parliament, where were then present to attend her, Sir Nicholas Bacon Knight, Lord Keeper of the *Great Seal of England*, and divers other Lords both Spiritual and Temporal, who being all set in their Parliament Robes, according to their several Ranks, in their due places, the House of Commons had notice thereof, and repaired thither with Sir Thomas Gargrave Knight their Speaker; whose Speech to her Majesty, and his very coming up, being wholly omitted in the Original Journal-Book of the Upper House, I have partly before supplied it, according to the usual course, and added also the residue in like manner touching the substance of what he spake, being also partly furthered in the setting down of it out of the Answer of Sir Nicholas Bacon Knight, Lord Keeper of the *Great Seal*, unto him, whose said Answer I have also caused to be inserted at large, out of a Copy thereof I had by me.

Sir Thomas Gargrave Knight, (before mentioned) with as many of the Knights, Citizens, and Burgeses of the House of Commons as conveniently could, being let into the Upper House, and he placed at the Rail, or Bar, at the nether end of the same, made a Learned Speech to her Majesty (which is termed, in the Original Journal-Book of the House of Commons, *fol. 214. b. A* Learned Oration) the effect whereof may very probably be gathered to have been as followeth, *viz.*

He declared unto the Queens Majesty, and that present Assembly, with what care and speed the House of Commons had this present Parliament enacted and passed many good Laws, which remaining yet as a dead Letter and without force, he did humbly desire that her Majesty would be pleased, by adding her Royal Assent unto them, to make them living and active Laws. Then he desir'd in the name of the House, that her Majesty would be pleased to accept of the good endeavours and desires of the said House of Commons expressed this Parliament in all their proceedings, and more especially, that her Majesty would be pleased to take in good part the free gift of her said Subjects, who in token of their Love and Zeal to her Majesty, did *with one assent* offer unto her, not only the Subsidy of Tonnage and Poundage, but likewise one Subsidy, and two Fifteens and Tenths, as an *undoubted effect* and *Testimony* of their Duty and thankfulness towards her Majesty, for those many blessings and benefits which had accrued to the Church and State by her Highnesses most lawful and just Succession.

Lastly, He concluded with an humble desire that her Majesty would be pleased to accept of his hearty and zealous thanks, in allowing and admitting him, though unworthy, to that place of trust and importance; and to pardon all those weakneses and imperfections, which he had unwillingly or casually discovered in the Execution of it.

To which said Speech of the Prolocutors, Sir
Nicholas

Nicholas Bacon, Lord Keeper of the Great Seal, having first repaired to the Queen, to her Chair of Estate, to know her Majesties pleasure, as in her name and by her Command returned him this wife and large Answer.

Mr Speaker, The Queens Majesty hath heard how discreetly and wisely you have declar'd the proceedings of this Session in the House of Commons, for Answer whereunto, and for the better signification to be made to my Lords of the Upper House, of the Judgment of the Parliament men, and these Parliament matters, her Majesties pleasure and Commandment is, that I should open and utter unto you three things; The one is, what her Highness understandeth, by your doings this Parliament, of your wisdom and diligence. The second, what of your liberality and benevolence; and therewith, how comfortable the former is, and how thankful the second. The third, what her Highness would you should do for the good Execution of the Laws devised by you, and of the rest heretofore devised by others. And here, my Lords and Masters all, albeit in labouring to bear this burthen I am much more like to fall, than but to faint under it, because neither am I able to perform it as the Queens Majesty hath commanded it, nor as your deserts justly crave it, nor as my will wisheth, and desireth it. Nevertheless my trust is, that you will pardon my weakness and want, so as no note of arrogancy or folly be ascribed to me for it; seeing as you know by duty driven I do it. I had rather, and I know it much better for me to be silent, and so to have no need of your pardon, than by Speech to all your pains in hearing, and to mine also in speaking, to deserve to pray it; if mine Office would suffer.

But now to the matter, For the first part wherein her Majesty considereth, how in the debating of the great and weighty Causes of this Parliament, we have banished all suddain, rash, and swift proceedings (dangerous Enemies to all good Counsel) and in place thereof have taken such convenient leisure, as the weightiness of the matters of their better consideration hath requir'd. And again, what freedom of Speech hath been used and permitted, for the plain Declaration of every mans knowledge and Conscience; yea, and how men in some Cases and some places, have been rather by gentle perswasions provoked, than by any sharp manner of Speech, by men of Council, dissuaded therefrom; and therewith also, how learnedly and cunningly, the disputable matters, being of moment, have been agreed and reasoned; how gravely and deeply weighed and considered; how advisedly and considerately resolved and concluded; and lastly, with what high and universal consent, they have been by you enacted and established. Besides also, remembering your great Studies, and endeavours, and diligences, for the opening and declaring what may be said *Pro & contra*, in all causes of doubts, to the end (as it seemeth to her Highness) that when all was said, and heard on both parts,

that by any of you could be inferr'd, or produc'd, That that which should thereupon for all respects appear to stand most with the Honour and Glory of God, and the common Wealth of the Realm, might be the better and more safely agreed upon and determined; When her Majesty, I say, remembreth and considereth these things, she saith, she cannot but much commend, and allow your wisdom and diligence therein, greatly to her comfort and consolation, and much to all your praises and commendations. For now her Majesty verily trusteth, that like as no manner of determination in Parliament, neither can nor ought by any private Man, to be infringed or undone; so these determinations of yours, in this form begun, proceeded and concluded, cannot hereafter justly, no not by words, be impugned or gainsaid; for seeing all men have thus at leisure, and with liberty upon the making of these Laws frankly declared their opinions and knowledges likewise, as learned men; so the Laws being made and past, her Majesty doubteth nothing but that they will, like good, humble, and obedient Subjects, willingly, and humbly submit themselves to the Law as to Life. And the rather also, because that no Man in the obeying of Laws made at this Sessions, being of the greatest moment, should thereby be forced any otherways to do, than either himself hath by Law already done, or else others have before this time done, whom both for wisdom, vertue, and learning, it shall not be unseemingly to any man here (be it spoken without offence) to follow and take Example of: And thus much for the first part.

For the second part, which concerneth your liberality and benevolence, her Majesty hath commanded me to say unto you, that your wife and grave Consideration, had and used in the granting of a present aid and relief, towards the relieving and discharging of the present charge wherewith the Realm, at the time of her coming to the Crown, was and yet is charged, is by her Highness taken in thankful part, and so is the restitution of the continual Revenue, as some Supplement towards the maintenance of the continual charge of late time grown to the Crown, as you have heard, and of necessity to be continued, as well for the surety of you all, as for the Confirmation of the whole Estate. And here, my Lords and Masters all, I take it to be my duty, to do you to understand, of certain noble and princely observations, and considerations had by her Highness of these your doings, much surely to all your Comforts; whereof one is, in that she forgetteth not that these grants be made, not by Subjects that have been a long time free from all manner of Taxes, Loans and Subsidies, and so well able to bear this burthen; but by Subjects, (much to her grief when she thinketh of it,) that have been well nigh continually charged with these things, to the universal impoverishing of the whole Realm, and no wayes to the strengthening, amending or honouring of the same; but rather

rather to the weakning, decaying, and dishonouring of the same; whereby it is evident, yea too evident (if it pleased God otherwise) that these supplies are to be born, not of your superfluities, but rather of your necessities; Marry of necessity also to withstand a greater necessity, which otherwise might touch you and yours in surety.

The second Observation is, your readines and willingness in granting, whereof her Majesty maketh a very great account, perceiving thereby, that neither warm words, nor yet earnest nor long persuasions used amongst you, have drawn you to this, but that the same hath rather been by you willingly, readily, and frankly offered, than by any of the means above remembred; and that these your grants have altogether proceeded from the benevolent minds, and hearty affections, that you bear to your Sovereign Lady and Country: which benevolence and affection her Majesty accepteth, and taketh for the greatest benefit, and most precious Jewel, that a Subject can present to his Sovereign; and, to be short in this matter, if *Bis dat qui cito dat* be a true saying, you deserve great Commendation for your small staying hereunto. Also her Highness addeth a third, that is, a generality and consent of their Grant, knowing with what difficulty and diversity of Opinions in some times past, these things have been brought to pass. It is a certain and infallible ground, that every good thing, the greater it is, the better it is. Now this unanimity in consenting, being (as undoubtedly it is) a good thing, hath not her Majesty (trow you) good cause to rejoice in the universality thereof? yes surely, and thanks you therefore accordingly. To make an end of this part, her Highness hath specially commanded me to say unto you, that when she calleth to remembrance what you have granted, who hath granted, and the form of granting; she finds her self earnestly disposed, if your Sureties and the State would so suffer, as freely to remit these Grants, as you did gladly grant them. And where in times past, long and vehement Orations and persuasions have been in these Cases used, to such as occupied your places, for the great diligence, and careful circumspection to be had for the true levying of that which hath been granted, for that the common numbers respect altogether themselves as private men, and not themselves as members of the whole body, whereby against all reason and right, the Realm hath been often defrauded of the greatest part of the benevolence granted: This notwithstanding, her Highness hath willed me herein to use few words, and only for this respect, lest else those which have shewed such liberality and benevolence in granting, might seem to be suspected by her, either of fidelity or diligence in levying; whereof she thinketh her self assured, and thereupon reposing her trust, she doubteth nothing, but by your good service, these things shall be as truly answered as they have been freely granted; and

that this faithful trust, thus reposed by her Highness in your true service, shall serve her to better purpose, than any words that could be spoken by me on her Majesties behalf. And besides, she thinketh, (which is much to be noted surely,) that it were better to adventure the loss of a great part of that she taketh her self assured of, than your benevolent minds, I mean, by speaking one word too much.

Now to the third and last, which containeth the Queen's Majesties pleasure for the well Executing of Laws. Here, my Lords and Masters all, remembring your Wisdoms and Fidelities, albeit that it be not much needful to put you in mind, to how small purpose good Laws serve, being not daily and diligently executed; yet, because the ancient Order hath been, that somewhat at this time should be said for your remembrance in these matters; therefore it is thought meet, that I should trouble you with a few words. I am sure you all judge, if a man would be very diligent to provide Torches to guide him in his going by night, and yet would be negligent in lighting any of them when he goeth in the dark, he should show a notable piece of folly, much like to a man that seeketh to cleanse his Garden and grounds from Weeds and Briers, he carefully provideth many sharp Tools and Instruments for that purpose, and when he hath so done, layeth them fair up in a House without occupying of them; and is it not great fondness (trow you,) for men to use their endeavours to make good Laws, to govern mens doings, and to weed out those that be evil in the Common-Wealth, and thereupon to bind them fair in Books, and to lay them up without seeing to the Execution of those Laws? Yes, surely. Wherefore ye see, that as there hath been used by you great wisdom and discretion, in devising of some, so it is very necessary that like diligence and pains be taken by you and others, to see the good Execution of all; the effect of which charge consisteth principally in three points; The first is, Conservation of the Queens Peace. The second, in Administration of Justice between Subject and Subject. And the Third, in the observation of one uniform Order in Religion, according to the Laws now Established.

For the first, ye are to foresee all manner of Frays, Forces, Riots and Routs, and the discovering and repealing in time of all manner of Conspiracies, Confederacies and Conventicles; and in this part also you are to provide for the swift and speedy appeasing of all manner of Tumults, stirs and uproars, (if any happen) and for the diligent searching out, and severe punishment of all manner of Felonies, Burglaries, and all other like Enormities; Matters (as you know) against the Queen's Majesties Peace, Crown and Dignity; for the well doing whereof, two things are chiefly to be eschewed; The one is, sloathfulness, the other is uncarefulness: for how can Justice banish these Enormities, where her Ministers be so sloathful, that they will

never creep out of their Doors to any Courts, Sessions, or Assizes, for the due Administration thereof, except they be drawn thereunto with some matters of their own; nor cannot endure to have their Ears troubled with the hearing of Controversies of their Neighbours, for the good appealing of the same; or how can the uncareful man, that maketh no account of any of the common causes of his Country, but respecteth only his private matters and Commodities, become a just and diligent searcher out, follower and Corrector of Felonies, Murders, and such like common Enemies to the Common-Wealth? And yet true it is, that such careless and sloathful men do daily colour and cloak these their faults with the title of Quietness; Coveting to be counted good and quiet men, where indeed they seek only ease, profit, and pleasure to themselves, and that to be sustained and born by other mens cares and labours, as Drones do amongst Bees; But if every man should do so, who seeth not but things would shortly come to ruine in default of Order? for they may easily judge, that it is madness to seek the conservation of any particular Member, and to suffer the whole body to decay; but being well served by some mens opinions, as they care for none, so should none care for them; or else that better were in mine opinion, they should be used by men, as Drones be used by Bees. And thus much for the first part.

For the second, you are to provide, that all Embracers, Maintainers and Champerties, which be utter Enemies to the due Execution of Justice between Subject and Subject, be neither committed by any of you, nor (as near as you can) be suffered to be committed by any other. A very behoveful matter to be both carefully and earnestly looked unto, as the root and seed of all Justice, and especially if any of these faults light upon any person that hath Authority or Rule in the Country, or hath any office of Justice to execute among the people. Is it not (trow you) a monstrous disguising to have a Justicer a maintainer, to have him that should by his Oath and Duty set forth Justice and right, against his Oath and Duty to offer injury and wrong; to have him that is specially chosen amongst a number by the Prince, to appease all Brablings and Controversies, to be a sower and maintainer of strife and Sedition, amongst them seeking his reputation and opinion, by *leading* and *swaying* of *Juries* according to his Will, acquitting some for Gain, Enditing others for Malice; bearing with him as his Servant, over-throwing the other as his Enemy; procuring all Questmongers to be of his Livery, or otherwise in his danger, that his winks, frowning and countenance may direct all Inquests. Surely, surely, it is true, that these be they, that be subverters and perverters of all Laws and Orders; yea, that make daily the Laws, that of their own nature be good, to become Instruments of mischief. These indeed be they, of whom such Examples would be

made, and the founders and maintainers of all enormities; and these be those, whom if you cannot reform for their greatness, yet ought you to complain of their villanies; and thus much for the due Administration of Justice.

And as to the third, which is the Observation of the uniform Order in Religion; you are to endeavour your selves, to the best of your powers and understandings, drawing together in one line all points, to further, set forth and maintain the same, which by great and deliberate advice here in Parliament hath been established. And here great Observations and watch should be had of the withdrawers and hinderers thereof; and especially of those, that subtilly, by indirect means, seek to procure the contrary. Amongst these I mean to comprehend, as well those that be too swift, as those that be too slow; those I say, that go before the Laws, or beyond the Laws, as those that will not follow; for good Government cannot be where Obedience faileth, and both these alike break the Rule of Obedience; And these be those, who in likelihood should be beginners, and maintainers, and upholders of all Factions and Sects, the very Mothers and Nurses to all Seditions and Tumults, which necessarily bring forth destruction and depopulation; of these therefore great heed would be taken, and upon these being found, sharp and severe Correction (according to the Order of Laws) should be imposed; and that in the beginning, without respect of persons, as upon the greatest adversaries that can be to Unity and Concord, without which no Common-Wealth can long endure and stand; whereupon (you know) all our standing and falling wholly consisteth, and the surety of our Sovereign. Also a matter most marvellous, that Laws whereby men possess all that they have, and their lives also, should not be able to direct mens actions so, as thereby all Factions and Sects, founded for the most part either upon Will, or upon the Glory of mens Wits and Inventions, should not sufficiently be repressed.

Now, for the handsome bridling of the factions of men, I see not that a better way can be taken, than is used by the Horse-Master, who provideth for the good Government of his Horse, Bit, or Brakes, according to the tenderness or hardness of his Mouth, whereunto he addeth a certain and well-taught hand. And like as it is very well to be allowed, that none other Bit or Brake should be provided for these Factious Folks, than by the Laws be forced; so were it meet that any of that kind, be it never so sharp, should not be omitted, if the cause so requireth; and this would be executed by a certain and well-taught hand; for it cannot be, but the winking or withdrawing from meddling in this matter, or the remis or loose handling thereof, must of necessity over-throw in time the whole fruits of all your Labours, and put your selves, your Country, and the Queens Majesty also, in peril, (whom O Lord preserve!) which being warned,

warned, you may easily foresee and provide for. And this is all that at this time I have to say. And therefore, here to make an end, her Majesty is contented, according to your Petition, to grant her *Royal Assent* to such *Ordinances* and *Laws*, as have been devised and agreed upon by you, in such order and form, as by the Clerk of the Parliament, according to the antient Order, shall be read and declared. I have said.

After the Lord Keepers Speech was ended, the Queen's Majesty did doubtless give her *Royal Assent* to such Acts as passed at this Session; but neither the foresaid Speech, nor the passing of the said Acts, are at all mentioned in the Original Journal-Book of the Upper House, and therefore, as the said Speech was transcribed out of a Copy thereof I had by me, so is the manner of her Majesties giving her *Royal Assent* to such Acts as now passed, supplied here, according to a pattern or Platform thereof set down in the Original Journal-Book of the same House, in *an. 39 Regin. Eliz.* which may very well serve in this place, in respect that matters of form and course do seldom or never differ.

The Clerk of the Crown standing up, did first read the Titles of all the publick Acts, to every one of which, allowed by the Queen, the Clerk of the Upper House read these *French* words following, *viz.*

La Roigne le veut, i. e. The Queen wills it.

Then were read the Titles of all the private Acts, to each of which that passed, the said Clerk of the Upper House read the Queens Answer in these *French* words following, *viz.*

Soit faite come il est desire, i. e. Be it done as it is desired.

These two last Answers to the publick and private Acts that pass, are to be written by the said Clerk, at the end of every Act.

To such Acts as her Majesty did forbear to allow, the Clerk of the Upper House read in these *French* words following, *viz.*

La Roigne s'advise, i. e. The Queen will advise upon it.

Then in the third place, after the Titles of all the publick and private Acts were read, and the Answers to them as afore said, then the said Clerk of the Crown standing up, did read the title of the Bill of Subsidy, and then the Clerk of the Upper House standing up likewise, did read the Queens Majesties Answer in manner and form following, *viz.*

La Roigne remercie ses loyaux subjects, accept leur benevolence, & aussi le veut, i. e. The Queen thanks her loyal Subjects, accepts their benevolence, and also wills it.

The said Clerk having read the Queens acceptance, and thanks for the Subsidy given, as afore said, did then upon the reading of the Title of her Majesties Pardon, by the Clerk of the Crown as afore said, pronounce in these words following, the Thanks of the Lords and Commons for the same.

Les Prelats, Seigneurs, & Communes, en ce pre-

sent Parliament assemblees, au nom de tous vous autres subjects, remercient tres humblement vostre Majestie, & prient à Dieu, vous donner en santé bonne vie & longue, i. e. The Prelates, Lords and Commons in this present Parliament Assembled, in the name of all your other Subjects, most humbly thank your Majesty, and pray to God to give you, in health, a long and happy Life.

The manner of her Majesties *Royal Assent* being thus transcribed, according to the Pattern of the said President, in the end of the Original Journal-Book, *an. 39 Regin. Eliz.* now followeth the Dissolution of this present Parliament, by Sir Nicholas Bacon Knight, Lord Keeper, upon her Majesties Commandment, which is entred in the Original Journal-Book of the Upper House in manner and form following.

Nicolaus Bacon miles, Dominus Custos magni Sigilli ex Mandato Domine Regine tunc presentis præsens hoc Parliamentum dissolvit.

The Acts being thus passed, her Majesty retir'd, and put off her Parliament Robes, and so returned to her Court at *Whitehall*.

¶ *Nota*: That Francis Spilman Esq; at this time Clerk of the Upper House, did after the Parliament ended, transcribe out all such Acts as passed, and certified them into the Rolls, and did, at the end of every publick Act, transcribe the *French* words ensuing:

La Roigne le veut. Being the same words which the Clerk of the Upper House doth usually, and now did pronounce, in the same House upon her Majesties allowance of each publick Act, as afore said.

But as for the private Acts, there was some more and greater Ceremony observed in the transcribing and Certifying of them into the Rolls, by the said Clerk of the Upper House, which (although it be omitted in the end of the Original Journal-Book of this present Parliament, *an. 1 Regin. Eliz.* yet) I have caused to be supplied, according to the form of a draught thereof set down in the end of the Original Journal-Book of the Upper House, *an. 39 Regine ejusdem*, which may very well serve to be supplied, and added unto the end of this present Journal; in respect that matters of form do seldom or never differ, in which I have only caused the direct times and persons to be fitted to this said foregoing Journal. At the head therefore of every such private Act, so certified into the Rolls as afore said, was doubtless written in Latin as followeth.

In Parlamento inchoat. & tent. apud Westm. die Jan. An. Regni serenissimæ atq; excellentissimæ Domine nostræ Elizabethæ, Dei grat. Angl. Franc. & Hib. Regin. fidei defensor. &c. Primo, & ibidem continuat. usq; ad & in Octavam diem Maii tunc prox. sequent. communi omnium Dominorum tam spiritualium quam temporalium & civitatis consensu & Regie Majestatis tunc presentis assensu, inter alia sancitum, inactitatum, ordinat.

Et stabilitum fuit sequens hoc statutum ad verbum ut sequitur, viz.

And at the foot, or end of every such private Act, were these ensuing words in Latin likewise added, as the said foregoing president doth very certainly infer.

Ego Franciscus Spilman (who was Clerk of the Upper House in the first Year of Queen Eliza-

beth) Armiger, Clericus Parliamenti, virtute brevis supradict. domine nostræ Regine de Certiorand. mihi direct. Et hiis annex. certifico superius hoc scriptum verum esse tenorem Actus Parliamenti supradicti in eo breve express. In cujus rei Testimonium Sigillum nomenq; meum apposui atq; subscripsi. Dat. die Anno Regni supradict. domine nostræ Regine, &c.

THE

THE JOURNAL OF THE House of COMMONS.

A Journal of the Proceedings of the House of Commons in the Parliament holden at Westminster, An. 1 Reg. Eliz. An. Dom. 1558. beginning there after one Prorogation of the same, on Wednesday the 25th day of January, and then and there continued until the Dissolution thereof, on Monday the 8th day of May An. Dom. 1559.

THIS Journal of the first Parliament of her Majesty, is not only stored with many good passages touching the ordinary reading, committing and expediting of Bills, but also with much extraordinary matter concerning the private privilege of the House, and publick state of the Church, and Commonwealth; which in this great Council of the Kingdom received much alteration and change, to the yet lasting honour and welfare of them both. In which also (as in the preceeding Journal of the Upper House) I have enlarged and supplied many things in matter of form, which are not found in the Original Journal-Book of the same House, touching the Writ of Summons, the preferring, reading, and passing of Bills, with the committing and sending of them up to the Lords, and such like. Neither doth there want much enlargement out of Record, or otherwise, concerning the Election, Presentments, and Petitions of the Speaker, with all other things that are materially worthy of any Animadversion, or Annotation; which matters of Form or Explanation, I did the rather cause to be inserted in this first Journal of the Parliament, during her Majesties Reign, that so I might the better omit it in the following Journal, and have ready recourse hither unto it, being all fram'd into one structure or body in this present Journal, prout sequitur.

Sir Nicholas Bacon Knight, Lord Keeper of the Great Seal, having received her Majesties Warrant for the making and Issuing forth of the Writs of Summons, did speedily cause them to be directed to such Peers and others, as were to at-

tend in the Upper House, and to the severall Sheriffs of England, for the Election and Chusing of the Knights, Citizens, Burgesses and Barons, that were to be present in the House of Commons. And although, neither any thing of this which hath preceeded, nor any Copy of the Writ sent to each Sheriff, be at all inserted into the Original Journal-Book of the House of Commons; yet as I have supplied that matter, which preceedeth, according to the form therof, which was at this time used, and hath been since continued, so I have thought it not amiss, once for all, to add here also the Copy of the Writ at this time sent forth, which hath since received no alteration, and was as followeth.

Elizabetha Dei gratia Angl. Franc. & Hib. Regina fidei defensor, Ambrosio Jermyn Militi, Vicecomiti Norff. & Suff. salutem; Quia de avisamento & assensu Concilii nostri pro quibusdam arduis & urgentibus negotiis Nos, statum & defensionem regni nostri Angl. & Ecclesie Anglicanae concernen. quoddam Parliamentum nostrum apud Civitatem nostram Westm. Vicesimo tertio die Januarii prox. futur. teneri ordinavimus, & ibidem cum Prelatis, Magnatibus, & Proceribus dicti Regni nostri Colloquium habere & tract. Tibi precipimus firmiter injungentes quod facta Proclamat. in prox. Comitatu tuo post receptionem hujus brevis nostri tenend. die & loco predict. duos Milites gladiis cinct. magis idoneos & discretos Comit. predict. & de qualibet Civitate Com. illius duos Cives, & de quolibet Burgo duos Burghenses de discretior. & magis sufficientibus libere & indifferenter per illos qui Proclam. hujusmodi interfuer. juxta formam statutorum inde edit. & provis. legi, nomina eorundum Milit. Civium, & Burghensium sic electorum in quibusdam indentur.

indentur. inter te & illos qui hujusmodi electioni interfuer. inde conficiend. sive hujusmodi elect. presentes fuerint vel absentes, inseri, eosq; ad dict. diem & locum venire fac. ita quod iidem Milites plenam, & sufficientem potestatem pro se & Communitate Comit. predicti, ac dict. Cives & Burgenses, pro se & Communitat. Civitatum & Burgorum predictorum divisim ab ipsis habeant, ad faciendum & consentiendum his quæ tunc ibidem de Communi Concilio dicti regni nostri (favente Deo) contigerint ordinari super Negotiis antedictis, ita quod pro defectu potestatis hujusmodi seu propter improvidam electionem Milit. Civium, aut Burgensium predictorum, dicta Negotia infecta non remaneant quovismodo. Nolumus autem quod tu nec aliquis alius Vic. dicti regni nostri aliquam sit electus, Et Electionem illam in pleno Comitatu factam, distincte & aperte sub sigillo tuo & sigillis eorum qui electioni illi interfuerint, Nobis in Cancellar. nostram ad dict. diem & locum certifies indilate, remittens nobis alteram partem Indenturarum predictarum presentibus consut. una cum hoc breve. Teste meipsa apud Westmonasterium, Quinto die Decembris, Anno Regni nostri Primo.

Nota, That this is not the direct Copy of any Writ, that I saw sent at this very time, but only applied to this time, according to the usual form of a like Writ, which also doth serve to discover all the Writs sent to the several Sheriffs of England, differing only from this in the name of the Sheriff and County.

And in the said Writ foregoing it is to be noted, that the words *Supremum Caput Ecclesiæ Anglicanæ*, were wanting, which had been omitted also in the foregoing Parliament of her Sister Mary, which notwithstanding it was afterwards agreed in the House, on Friday the third day of Feb. following, that the Writs of Summons were well sent forth and returned, and that the Parliament ought to hold accordingly.

In the Antient Writ also of Summons the cause of the Assembling of the Parliament was expressed, which at this day is not. Neither was there then any such clause in the Writ, as in this foregoing doth appear; viz. *Nolumus autem, quod tu nec aliquis alius Vicecomes dicti regni nostri aliquam sit Electus*: By reason of which words, some have conceived that the Sheriff of any County ought not to be Elected, or admitted a Member of the House of Commons.

But to this it may first be truly answered, that these words were primarily inserted into the said Writ, by virtue of an Ordinance only made to that end upon some special Occasion in the Parliament held in an. 46 Regis Ed. 3. as appears in the Parliament Roll of that Year, numero 13. remaining with divers others in the Tower of London; By which said Ordinance also Lawyers were as well excluded as Sheriffs.

Secondly, the constant practice in most times since doth sufficiently prove, of how little validity the said Ordinance of Parliament was conceived to have been, for the debarring of the said Sheriffs from being Members of the House

of Commons. For the proof whereof I have only vouched such as fell out during her Majesties Reign, viz. in an. 27 Regin. Eliz. Decemb. 21. Tuesday, Ed. Leigh Esq; being returned and admitted into the House of Commons, as one of the Knights for the County of Stafford, was afterwards Elected to be Sheriff of the same Shire. In like manner Feb. the 23. Tuesday, Sir Edward Dimock Knight, was both Sheriff of the County of Lincoln, and a Member of the House of Commons, as appears in the Journal ensuing, in an. eodem 27 Regin. Eliz. So also in the Parliament, de an. 31 Regin. Eliz. Feb. 21. Friday, Mr Saint Pole served as one of the Knights for the County of Lincoln, being also Sheriff of the same Shire. And lastly in the Parliament, de an. 43 & 44 Regin. Eliz. Decemb. 2. Wednesday, Peter Frecheville Esq; was returned one of the Knights for the County of Darby, being afterwards appointed Sheriff of the same County, as was also Robert Lhuyde Esq; constituted Sheriff of the County of Merioneth in Wales, having been formerly returned Knight for the said Shire, as appeareth in the Journal of the same Parliament, on Tuesday the 8th of Decemb. In and by all which Presidents it doth appear, and may probably be gathered, that neither her Majesty, nor the House of Commons did conceive these two places to be incompetent, but that they might well stand and be in one and the same man, at one and the same time. For her Majesty did first make these foregoing persons Sheriffs of the several Counties aforesaid, not only after they were chosen, but returned also Members of the House of Commons, by which it is very plain she could not be ignorant of it; and therefore her self, and the said House, did both allow of their being made Sheriffs, as a thing well agreeing with the Priviledge of their former places, and the service of that House, and did not therefore give them a final discharge, but only Liberty of recess about their necessary affairs, into the several Counties before-mentioned, as in the Case of Sicknes, or some other temporary cause of their absenting themselves from the House, which being expedited, they might return again to that service; for doubtless if the said House had conceived that they had been disabled from their serving there by their new Offices, it would have been ordered, that a Warrant should have been sent to the Clerk of the Crown, to have sent down a new Writ into the foresaid Counties, for a new Election to have been made; as in the Case of double Returns, Death, or the like, is used. And whereas in the Parliament de an. 43 & 44 Regin. Eliz. on Wednesday the 4th day of November, Sir Andrew Nowell being both Sheriff and Knight for the County of Rutland, was wholly discharged, and a Writ sent out, de novo, for a new Election; That Case differed from all the foregoing Presidents, and might well upon another reason, be ordered by the House; For the said Sir Andrew, being Sheriff of the foresaid County of Rutland, was afterwards

terwards Elected one of the Knights for the same, and so compelled to return himself, which could not be good in Law. But if the said Sir *Andrew* had been chosen a Knight of some other Shire, during his Sherifalty, or had been constituted Sheriff by her Majesty of the said County, after he had been Elected and returned a Member of the House of Commons, the Case had doubtless differed, and the House would never have given Order for a new Writ to have been sent forth; which course they observed in the two before-cited Presidents of Mr. *Frecheville*, and Mr. *Lhuyde* in the same Parliament.

Thirdly, if these two places should not be competible, then had it now lain in the Power of her Majesty (or may lie in the power of any Sovereign of this Kingdom) to have disabled as many Members from serving in the House of Commons, as she should or could have constituted Sheriff. She might have disfurnished (or any Sovereign for the time being may disfurnish) the said House at any time, of all or the greater part of the ablest Members thereof.

Nota also, That those words, viz. *Duos Milites Gladiis cinctos*, were inserted into the Writ of Summons after the Parliament, an. 13 E. 3. as may be gathered by the Parliament Roll of the same Year.

And whereas some have objected in the foregoing Case, to prove that a Sheriff ought always to be attendant upon the affairs of the County, and cannot therefore be a Member of the House of Commons: the Objection is idle, for till the tenth year of Queen *Eliz.* the Counties of *Nottingham* and *Derby*, and of *Warwick* and *Leicester*, had but two several Sheriffs, as were also the Counties of *Norfolk* and *Suffolk*; served with one Sheriff until the eighteenth Year of her Majesties Reign, and so are the Counties of *Suffex* and *Surrey*, served this present Year 1630.

And antiently also (as is plain by that MS. Catalogue of all the Sheriffs of *England*, or the most part, since the time of King *H. 2.* (which is in many mens hands) divers Counties were committed to one man, as in an. 1 H. 2. *Richard Bassett*, and *Ambrey de Vere*, were jointly constituted for Sheriffs of the several Counties of *Norfolk*, *Suffolk*, *Northampton*, *Essex*, *Huntington*, *Cambridge*, and *Hartford*; and *Robert Caran* joined unto them for the Counties of *Bedford* and *Buckingham*. From the Female Coheirs of the foresaid *Richard Bassett*, being the Ancestor of the House of *Weldon* in *Northamptonshire*, are lineally and undoubtedly descended the Families of *Chaworth*, *Stafford*, *Knyvet*, *Clinton* Earl of *Lincoln*, the *Howards* of the House of *Suffolk*, and *Clopton* late of *Kentwell* in the County aforesaid; and from the before-mentioned *Ambrey de Vere* is lineally descended (as I take it) *Robert de Vere* the nineteenth Earl of *Oxford*, now living An. Dom. 1630.

Upon the receipt of the before-mentioned Writ and Election made accordingly, the Sheriffs of every Shire made their several Returns, of which

the Form being set down in the old Book of Entries, it shall be needless here to insert them. But now, having supply'd these matters of Form, according to the usual Presidents, the next passages follow out of the Original Journal-Book of the House of Commons.

On *Wednesday* the 23th of *Jan.* Anno Regni *Regin. Eliz. Primo*, The Parliament should have begun according to the Writs of Summons, but by the Queens Commission, directed to Sir *Nicholas Bacon* Knight, Lord Keeper of the Great Seal of *England*, the Lord Treasurer and others, to Prorogue the same, until *Wednesday* the 25th day of the same Month; it was so done accordingly.

On *Wednesday* the 25th day of *Jan.* The Parliament held and began, according to the last Prorogation thereof; but there is no mention made in the Original Journal-Book of the House of Commons, where or by whom, the Names of the Knights, Citizens and Burgeses of the said House, were called; that so it might be seen who were present: But most certain it is, that at this day they took no Oath, before the beginning of this present Parliament, because that of Supremacy, which was afterwards taken, was not enjoined by Statute till this first year of her Majesty. But most likely it is, that *Hen. Fitz-Alan*, Earl of *Arundell*, at this time Lord Steward of her Majesties Household, did both cause their names to be called in some place near the Upper House, and their Appearance to be Recorded, before her Majesties coming to the Upper House.

The manner of calling the Names of the Knights, Citizens and Burgeses in former times, did much differ from that which is used at this day, as appears by the Parliament Rolls in the *Tower*: for in an. 7 R. 2. the Knights and Burgeses were called by name, in presence of the King, which shews they staid without till then; And in an. 2 H. 4. & an. 4 H. 4. they were called by name, in the Chancery at *Westminster-Hall*, before the Chancellor and the Steward of the Kings House. And in an. 13 H. 4. the said Knights and Burgeses were called at the Door of the Painted Chamber, in presence of the Steward of the Kings House, as the manner is. Only one President differs from all the latter, which is found in the Original Journal-Book of the Upper House, de Anno 33 H. 8. where the Duke of *Suffolk*, Lord Steward, commanded the Clerk of the Parliament, to read the Names of the Commons, unto which every one answered, they being all in the Upper House below the Bar; and then the King came.

But at this day they are called by their names by the Clerk of the Crown, in presence of the Lord Steward, in the Court of Requests: and now since the first Year of Queen *Eliz.* and from the fifth, the Knights, Citizens and Burgeses of the House of Commons (as hath been before observed) do take the Oath of Supremacy, and since the seventh of King *James* they take the Oath

Oath of Allegiance also, which the Lord Steward administers to some, and appoints certain of them his Deputies; to give the same unto the rest. 7 Jac. cap. 6.

These passages touching the Antient and Modern calling of the Knights, Citizens and Burgeffes of the House of Commons, being not at all touched in the Original Journal-Book of the same House, but supplied from other Authority; now follows the residue of this days passages out of the foresaid Journal-Book, with some Additions.

Upon the already named 25th day of January, her Majesty came to the Parliament Chamber, commonly called the Upper House, and being there set, and attended by Sir Nicholas Bacon, Lord Keeper, and divers Lords Spiritual and Temporal, in their Parliament Robes, the House of Commons had notice thereof, and repaired thither. And being (as many as conveniently could) let in, and silence made, the Lord Keeper of the Great Seal, after an Excellent Oration by him made, containing the urgent causes for the Calling of this Parliament, declared the Queens pleasure to be, that the Commons should repair to their accustomed place, and there to chuse their Speaker.

Whereupon, the Knights, Citizens and Burgeffes departing to their own House, did there take their severall places, and most remaining silent, or speaking very submissively, Mr Treasurer of the Queens House, standing up uncovered, did first put the House in remembrance of the Lord Keepers late Speech, and of his Declaration of her Majesties pleasure, that they should chuse a Speaker, and therefore in humble Obedience to her Majesties said pleasure, seeing others remain silent, he thought it his Duty to take that occasion to commend to their Choice, Sir Thomas Gargrave Knight, one of the Honourable Council in the North Parts, a worthy Member of the House, and Learned in the Laws of this Realm: By which Commendations of his, of the aforesaid worthy Member of the House to their Consideration, he said he did not intend to debar any other there present, from uttering their free opinions, and nominating any other whom they thought to be more fitting, and therefore desired them to make known their opinions, who thereupon did with one consent and voice, allow and approve of Mr Treasurers nomination, and Elected the said Sir Thomas Gargrave, to be the Prolocutor, or Speaker of the said House.

The said Sir Thomas Gargrave being thus Elected Speaker, after a good pause made, stood up uncovered, and having in all humility disabled himself, as being unfurnisht with that Experience, and other qualities, which were required for the undertaking and undergoing of so great a Charge, did conclude with an humble Request to the House, to proceed to the New Election of some other more able and worthy Member amongst them.

But the House still calling upon him to take his place of Mr Speaker, the before-mentioned Mr Treasurer, and Mr Comptroller of her Majesties Household (as may very well be gathered) did rise from their places, and going unto the said Sir Thomas Gargrave, unto the place where he sat, did each of them take him, one by the right Arm and the other by the left, and led him to the Chair at the upper end of the House of Commons, and there placed him, where having sat a while covered, he arose, and so standing bare-headed, he returned his humble Thanks unto the whole House, for their good opinion of him, promising his best and uttermost endeavour, for the faithful discharge of that weighty place, to which they had Elected him. And soon after Mr Treasurer, and Mr Comptroller repaired to the Queen, to know her Highnesses pleasure, when Mr Speaker should be presented to her Majesty, for Confirmation of this Election; and soon after they returned, shewing her pleasure was that to be done on Saturday next, at one of the Clock in the Afternoon.

Here it shall not be amiss to add somewhat touching the Election of the Speaker, which, because I find it ready penn'd to my hand, in that elaborate MS. Intituled, *Modus tenendi Parliamentum apud Anglos*, Written by my kind Friend Henry Elsing Esq; Clerk of the Upper House this present Year 1630. *Libr. 1. cap. 7. §. 1. & 2.* Therefore I shall without any great alteration here, add it in the next place; and first touching the Antiquity of the Speaker, it is most likely that he began to be when the House of Commons first sat.

For it may clearly be gathered *ex Lib. Sancti Albani fol. 207. in Bibliotheca Cottoniana*, that in the Parliament *de an. 44 H. 3.* The House of Commons had then a Speaker. For there Pope Alexander labouring to have Adomar, the Elect Bishop of Winchester, recalled from banishment; the Answer of the Parliament was as followeth: viz. *Si Dominus Rex, & Regni majores hoc velint, communitas tamen, ipsius ingressum in Angliam, jam nullatenus sustineret.* Which is Signed and Sealed by all the Lords, and by Petrus de Mounteforti *vice communitatis*, which shews plainly that he was thire Speaker, for the very same words did Sir John Tiptote their Speaker Sign and Seal to the Entaile of the Crown, *Parl. an. 7 & 8 H. 4.*

But it is true, that the first Speaker who is directly named in Record, was in the Parliament Rolls in the Tower *de an. 51 E. 3. N. 87.* The last day of the Parliament (saith the Records) Sir Thomas Hungerford Knight, Speaker, declared to the Lords, that he had moved the King to Pardon all such as were unjustly Convicted in the Last Parliament. And that the King willed him to make special Bills for them, which he had done for seven, &c. And therefore it can be no Argument, that the House of Commons had no Speaker, before the 51th year of E. 3. because no former Records mention him. For this is to
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be noted, that the Antient Parliament Rolls did record only what Acts passed between both Houses, and what Laws were made, and omitted matters of Form and Ceremony.

There are also divers Parliament Rolls *tempore R. 2.* that do mention the Presentment of the Speaker, *prout in an. 1 Rich. 2. n. an. 2 R. 2. n. 18. 20, 22, & 23 an. 4 R. 2. n. 10, 12, & 13. an. 5 R. 2. n. 10, & 16. & an. 21 R. 2. n. 8, 9, 14, & 15.* So also the Speaker is mentioned in the Parliament Rolls, *de annis 1, 2, 4, 5, 6, & 11 H. 4.* and in the Parliament Rolls of *H. 5. H. 6.* and *E. 4.* remaining in the Tower, and in the Parliament Rolls of *R. 3. H. 7.* remaining in the Chappel of the Rolls in *Chancery-lane*; and since *H. 8.* time, the Original Journal-Books of the Upper House of divers of his Years, remain in the Parliament Office, situate and being in the Palace-Yard at *Westminster*, at the South Corner thereof; as also the Original Journal-Books downwards to this time; and from the first Year of *Ed. 6.* to this day, the Original Journal-Books of the House of Commons, are in the Custody, or at the disposing of my kind Friend *John Wright Esq;* Clerk of the same House. this present Year 1630.

And now here do, in the next place, follow certain Observations upon the Election of the said Speaker, transcribed also, with very little alteration, out of the before-mentioned Treatise of *Mr Elsing*, *Lib. & Cap. eodem, & §. 2.* in which two Questions are moved.

First, Whether the Commons might chuse their Speaker if the King Commands them not?

Secondly, Whether the Election be in their own absolute choice?

For to clear these two we must view the Antient Records; those of *R. 2.* are the first, that frequently mention the Speaker.

It doth not appear by any of them, that the Commons had ever any such Commandment to chuse their Speaker. Neither is there a word of it in any Record of *E. 3.* which have the Speeches at large, touching the Cause of Summons; most of them concluding with a Charge to the Commons, to consider and advise thereof amongst themselves; but nothing touching the Election of their Speaker: yet out of doubt they did first chuse their Speaker, before they entred into any Debate of their Charge.

The first Charge to chuse their Speaker is in *an. 2 H. 4.* and yet it is omitted again in the Parliament 7 & 8 *H. 4.* but (that only excepted) it is continued from the 2 *H. 4.* until this day: and the long use hath made it so material, that, without the Kings Commandment or leave, they cannot chuse their Speaker, which appears by this, that in *an. 31 H. 6.* the Parliament being Prorogued, and the Speaker arrested in Execution, in the interim, before the access, the Commons prayed his Enlargement, which, after long Debates of the Priviledges of Parliament, was denied. And then certain of the Lords were sent to the House of Commons, and Comman-

ded them, in the Kings name, to chuse a new Speaker; and thereupon they did so. *Vid. An Account of this President at the end of this Session, out of Rot. Parl. 31 & 32 H. 6.*

And of late Years, in the time of Queen *Eliz.* the Parliament being Prorogued at two several times, and the several Speakers dead in the interim, before their second access (as shall be more largely declared hereafter in these Journals) the Commons, before they proceeded to any business, acquainted the Lords therewith, and desired them to intimate the same to the Queen: and so were commanded by her Majesty to chuse new Speakers. *Ut vide in an. 8 Regin. Eliz. die 1 Oct. & in an. 23 Reginæ ejusdem die 18 Jan.*

But as touching the second Question, surely the Election of the Speaker was antiently free to the Commons, to chuse who they would of their own House, which appears in this, that the King never rejected any, whom they made choice of.

Vide 5 R. 2. The Parliament began 4 *Novemb.* and the 18th of *Novemb.* the Commons came, and presented Sir *Richard Walgrave*, whom they had chosen for their Speaker, who excused himself, desiring to be discharged. But the King, *Lui chargeast del faire sur sa ligeaunce*, in as much as his Companions had chosen him; whereby it appears plainly, that the choice was absolutely in their own power.

These Animadversions touching the Antiquity and Election of the Speaker of the House of Commons, being thus inserted from several Authorities; Now follows the Presentment of the Speaker, and her Majesties allowance of him, out of the Original Journal-Book of the House of Commons, in which many things of Form are also added by my self, and divers Animadversions out of that before-mentioned elaborate MS. Treatise of *Mr Elsing's* penning, *Lib. 1. cap. 7.* with some small Additions, or Alterations.

On *Saturday*, the 28th day of *Jan.* about one of the Clock in the Afternoon (to which day and hour the Parliament had been last Adjourned, or continued on *Wednesday* the 25th day of this instant *Jan.* foregoing) her Majesty, Sir *Nicholas Bacon*, and divers Lords Spiritual and Temporal were present in the Upper House; which said Lords, as also her Majesty, had on their several Parliament Robes, of which the Knights, Citizens and Burgeesses and Barons of the House of Commons having notice, they repaired thither. Sir *Thomas Gargrave* was led up to the Rail or Bar, at the lower end of the said Upper House, who submissively excusing himself, he humbly desired the Queens Majesty to free him from that Imployment, and to Command her Knights, Citizens and Burgeesses of the House of Commons, to Elect amongst themselves some other more able Member, for the discharge of the said place; But notwithstanding these reasons her Majesty signified his allowance by the Mouth of the Lord Keeper.

Nota, That the excuse of the Speaker is at
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this day meerly formal, and out of modesty. For he first excuseth himself unto the Commons when they Elect him, and afterwards to the Sovereign when he is presented: But antiently, it seemeth they were both hearty and real, or else no excuse at all was made. And the first President of this nature, that is found in Record, is in the Parliament Rolls *de an. 5 R. 2. n. 9. die 4 Novembris*, where Sir Richard de Waldgrave Knight (the Lineal Ancestor in the Male Line of the several Families of *Waldegrave* in *Suffolk*) being chosen Speaker of the House of Commons, did excuse himself unto the said King, but was charged upon his Allegiance to undertake it, sith he was Chosen by the Commons.

The next is in *an. 1 H. 4.* of Sir John Cheney, who made no excuse at his Presentment. But the next day after, he and they came before the King, and declared his disability to serve, by reason of a sudden sickness, and that the Commons had chosen Sir John Dorewood in his place, beseeching his Majesty to allow thereof; which the King did, and Commanded Sir John Dorewood to be their Speaker. And then the said Sir John Dorewood made the common Protestation for himself and the Commons, but no excuse, N. 63.

The next excuse is in *an. 5 H. 4. n. 8.* of Sir Arnold Savage, which the King would not allow of. *An. 6 H. 4. n. 8.* Sir William Sturing made no excuse, and *an. 7, & 8 H. 4. n. 9.* Sir John Tibtot desired to be excused by reason of his Youth, but the King affirmed the Election; and all other Speakers in *H. 4.* his time desired to be excused.

Some Speakers also under *H. 5.* desired to be excused, and some others did not, for it was not constantly observed: but from the sixth year of *H. 6.* since which time they have all (except two) desired to be excused; yet none were excused, save only Sir John Popham Knight, *an. 28 H. 6.* whom the King discharged, and thereupon the Commons chose and presented William Tresham Esq; who made no excuse, neither did Sir William Oldham *an. 29 H. 6.* desire to be excused.

These Animadversions upon the Speakers Speech, which he first makes unto her Majesty, containing his excuse, being thus inserted as aforesaid; now follows the second Speech of the said Speaker, upon his allowance by her Majesty. The substance of which, being not found in the Original Journal-Book of the House of Commons, I have supplied; according to the usual Form.

The said Sir Thomas Gargrave being allowed and confirmed Speaker of the House of Commons by her Majesty, having tendred his humble thanks for her Highness gracious Opinion of him, and added some Expressions in honour of her Majesty, in the end of his Speech; He came according to the usual Form, to make certain Petitions in the behalf of the House of Commons, and of himself: in which he did first de-

fire Liberty of access, for the Members of the said House to her Majesties presence, upon all urgent and necessary occasions. Secondly, that if in any thing he should mistake, or misreport any thing, which should be committed unto him to declare, that his unwilling miscarriage therein might be pardoned. Thirdly, That they might have Liberty and Freedom of Speech, in whatsoever they had occasion to propound, and debate in the House. And lastly, that all the Members of the House, with their Servants, and necessary Attendants, might be exempted from all manner of Arrests, and Suits, during the continuance of the Parliament, and the usual space, both before the beginning, and after the ending thereof, as in former times hath always been accustomed.

To which Speech of the said Speaker the Lord Keeper, by her Majesties Commandment, made a large Answer (which is *verbatim*, set down in the Journal-Book of the Upper House upon this instant *Saturday* the 28th day of *Jan.*) in which he intimated at large, among other things, that her Majesty did graciously allow of those Liberties and Privileges, for which the said Speaker had Petitioned, so as they were discreetly and modestly used.

In which Speech of the Speaker's in general, it may first be observed, that at this day it is in the Speakers Power, to deliver in his Speech what shall best please himself; whereas antiently he delivered nothing, but what the House gave him in Charge to speak, as may be gathered by the Parliament Rolls *de an. 1 R. 2. an. 2 R. 2. an. 3 R. 2. an. 6 R. 2. & an. 17 R. 2. in an. 4, & in an. 10 H. 4.* and in divers other Parliaments in the times of *H. 5. H. 6. and Ed. 4.*

And for those three Privileges before mentioned, which Sir Tho. Gargrave the Speaker, did in his foregoing Speech desire of her Majesty, in the name and on the behalf of the House of Commons, they were no other, than the said House did doubtless enjoy in antient time; although they were never desired by the then Speakers of the same House, nor were any of them ever Petitioned by any Speaker, until in the Parliament *de an. 28 H. 8.* as may very probably be gathered by the Original Journal-Book of the Upper House *de an. eodem.*

And as to the first Petition, which he made in the name of the House of Commons, for free access to her Majesty, it is plain, that the said House enjoyed it during the Reign of *K. E. 3. prout patet ex Rot. Parl. de an. 51 Ed. 3. n. 87.* when Sir Thomas Hungerford was Speaker, and in the time since under *R. 2. H. 4.* and their Successors, the Presidents are so frequent, as they need no vouching.

And as touching this foregoing Petition, it is first Recorded in the Original Journal-Book of the Upper House, to have been made *de an. 28 H. 8.* by Richard Rich, the then Speaker; and in a like Journal-Book *de an. 31 H. 8.* by Thomas Moyle the Speaker in that Parliament, and the

the same course hath been constantly observed by all the Speakers since; of whose Speeches there is any good memorial remaining.

And as touching the second Petition, which the said Sir *Thomas Gargrave* made unto her Majesty in the name of the House of Commons for freedom of Speech; there is no Record that it was ever Petitioned for, until in the Original Journal-Book of the Upper House, *de an. 33 H. 8.* it is entred to have been made by *Thomas Moyle* the then Speaker, yet was it never denied them before; for the said Commons would never suffer any uncomely Speeches to pass of private men in their House, much less of the King, or any of the Lords; and in *Ed. 3.* his time, who was an absolute Prince, and beloved of his People, the Commons themselves did oftentimes discuss, and debate many things concerning the Kings Prerogative, and agreed upon Petitions, for Laws to be made, directly against his Prerogative; as may appear by divers of the said Petitions: yet they were never interrupted in their consultations, nor received any check for the same; as may appear by the very Answers to their Petitions. The Presidents in the two succeeding Kings times, are not of so good a stamp, as those of *Ed. 3.* because *R. 2.* was much over-ruled in his young Years, and *H. 4.* was an Usurper, and so was compelled to seek for the love of his Subjects: yet was there one passage in his Reign, which proved him a most wise and just King, after he had attained the Crown. For in *Rot. Parl. de an. 2 H. 4. n. 11.* the Commons Petitioned the King, that he would not suffer any report to be made unto him, of any matters, either moved, or debated amongst them, until they be concluded, nor give them any credit; whereunto the King assented: and for the freedom of Speech, which the Commons enjoyed in succeeding times, the Presidents are so frequent, as they need no further vouching. And it is very well worthy the Observation, that whereas in the Session of Parliament *de an. 8 Regin. Eliz.* when *Richard Onslow* Esq; her Majesties Sollicitor, was Elected and allowed Speaker, by reason of the Death of *Thomas Williams* Esq; who had been Speaker in the Session *de an. 5. Regin. Eliz.* and did Decease in the interim of the several Prorogations between the said two Sessions, the said *Richard Onslow* did, upon his Presentment to her Majesty, and allowance by her, only desire in the name of the House of Commons, free access to her Majesty; and did, either ignorantly, or wittingly, omit to make those two other Petitions on their behalf, for freedom of Speech, and freedom from Arrests and Suits; yet in the said Session, *de an. 8 Regin. Eliz.* the House of Commons, falling upon that great business of her Majesties Declaration of a Successor, did use greater liberty of Speech, than they had done, or did before or after in any other Parliament, during her Majesties Reign, when the said Speakers did most precisely desire the allowance of the

said privilege of freedom of Speech from her Majesty.

And now, thirdly and lastly, touching that Petition, which Sir *Thomas Gargrave* the Speaker made unto her Majesty, for freedom from Arrests; It is plain, that the Commons, and the Lords of the Upper House, have not only always enjoyed the same for themselves and their necessary attendants, but also have been exempted from Suits at Law, during the continuance of the Parliament; not only in legal Courts, but in the very Court of Chancery, Star-Chamber, and such like, unless some Criminal matter be laid unto their Charge, which draws into question the life it self; which I have caused to be inserted into the preceeding abstract of Sir *Thomas Gargraves* Speech, because he either did Petition for freedom from Suits, as well as for freedom from Arrests, or he ought to have done it. For it is plain, by the close Rolls of *Ed. 2.* remaining in the Tower, that the Barons, and such others as were Summoned to Parliament in the seventh and eighth Years of his Reign, were exempted from Answering to any Suits before the Justices of Assize, during the Parliaments continuance; where the Proclamations sent to the said Justices, for that purpose, contain these words, viz. *Quod supersedeant ubi Barones & alii summoniti ad Parliamentum Regis sunt partes, & vide Rot. Claus. de an. 7 Ed. 2. Membrana 24. & de an. 8 Ed. 2. m. 22, & 23.*

And for the several Presidents, how frequently the Members of the House of Commons were exempted, both from Arrests and Suits, during all the Parliaments of her Majesties Reign, they are so many, and fell out so often, as may be seen by every ensuing Journal almost of the House of Commons, that they need no vouching.

These Animadversions being thus added, touching the Speakers Speech, and the Petitions on the behalf of the House of Commons contained therein, now follows the departure of the said Speaker, being fully invested in his place by her Majesties allowance, down unto the House of Commons, out of the Original Journal-Book of the same, with some Additions in matter of Form.

Sir *Thomas Gargrave* aforesaid, being now settled in the place of Speaker, after his humble reverence made unto her Majesty, departed with the other Members of the House of Commons, unto their own House, the Serjeant of the same carrying the Mace all the way before the said Speaker, which was in like sort born before him, during this Parliament, both when he repaired unto, and when he departed from the said House.

The Speaker being placed in the Chair, *Seymore* Esq; Clerk of the foresaid House of Commons, who sat uncovered at a Table at the upper end of the House, just before the Speaker, stood up and read a Bill, which had been treated of in the last Parliament, being intituled,

The Bill touching felling of Wood and Timber Trees in Forrests and Chafes, which done, kissing his hand, he delivered the said Bill to the Speaker, who standing up uncovered (whereas otherwise he sitteth covered) and holding the Bill in his hand, said, The Bill is thus Intituled; and then having read the Title of the Bill, as is before set down, he opened to the House the substance thereof, which it is most probable he did out of the Breviate which was filed to the Bill, and had been delivered unto him, together with the Bill, by the Clerk of the House aforesaid; which being done, he then said, This is the first reading of the Bill, and so delivered it unto the Clerk again, which ended, the House arose; which hath been the constant use and custom ever since, as also divers years before, that after the presentment, and allowance of the Speaker, one Bill be once read after his return from the Upper House unto the House of Commons.

On *Monday* the 30th day of *January*, the Bill for the avoiding of French Wares and Wines, and the Bill touching any variance of Grants made by Corporations, were each of them read the first time.

Mr Treasurer with 23. others of this House (whose names are wholly omitted in the Original Journal-Book of the House of Commons, through the negligence of *Seymour Esq*; at this time Clerk of the same) were appointed to meet together, and to treat for a convenient Subsidy, and also to consider touching the validity of the Writ of Summons, both of the last Parliament and also of this present Parliament; in which said Writ, the words *Supremum caput Ecclesiæ Anglicanæ* were wanting, *vide February 3. postea.*

On *Tuesday* the 31th day of *January*, it was agreed in the House, that a Book for the Subsidy be drawn by severall of the Committees.

On *Wednesday* the first day of *February*, the Bill touching levying of Fines in the County Palatine of *Durham*; and the Bill touching thickening of Hats or Caps in Mills, were each of them read the first time. The Bill also touching the grant of Tonnage and Poundage, was read the first time.

On *Friday* the 3^d of *Feb.* the title of a Bill, which had this day its second reading, is thus entered in the Original Journal-Book of the foresaid House: The Bill for felling of Wood and Timber in Forrests or Chafes. And under the entrance of the title of it, in the Original Journal-Book of the House of Commons, was written Mr *Sackvill*, by which it should seem, that this Bill was committed upon the first reading to him, and (as it is probable) to others also. By which manner of entering the title of the said Bill, it may plainly be collected, that the Bill it self had at this time its second reading, and was thereupon committed to Mr *Sackvill* (to whom it seemeth the Bill was delivered) and others whose names are omitted; the manner of which, being there also left unmentioned, I thought good to supply, ac-

cording to the usual Form, both then doubtless used, and at this day also.

The Clerk of the said House, having read the title, and the Bill aforesaid, standing, kissing his hand, delivered the same with a Breviate (containing the substance of the Bill) annexed unto it, unto the Speaker; who thereupon, standing up uncovered, and reading both the Title, and the Breviate said, This is the second reading; and then, having paused a while, and (as it is likely) none speaking against the Bill, he put the question for the committing thereof, as followeth; *viz.* As many as do think fit this Bill should be committed, say, Yea. And after the affirmative voice given, as many as shall think the contrary, say, No; and then (as it should seem) the Speaker judging that the affirmative voice was the greatest, did put the House in mind to name Committees. And thereupon every one of the House that listed, did name such other Members of the same, to be of the Committee, as they thought fit; and the Clerk either did, or ought to have written down as many of them, as he conveniently could; and when a convenient number of the Committees named, were set down by the Clerk, then did the Speaker move the House to name the time and place, when and where they should meet, which the Clerk did also doubtless then take a note of, and did also (Silence being made in the House) read out of that Book or Paper (in which he entered them) the Committees names, with the time and place of their meeting.

And it is most probable, that the Clerk of the House of Commons himself, or his servant, in the transcribing out of the foresaid notes into that Book, which now remaineth the Original Journal of the said House, for this present Parliament, did there wittingly and knowingly forbear to insert the names of the other Committees, appointed in the foregoing Bill, with the time and place of their meeting, as matters of Form and not essential to the said Journal.

The Bill for a Subsidy, and two Fifteens and Tenths, granted by the Temporality, was read the first time.

Mr *Carrell*, on the behalf of the Committees (who were appointed on *Monday* the 30th day of *January* foregoing) to consider of the validity of the Writs of Summons of the Parliament foregoing, and this present now Assembled, (in respect that these words *Supremum caput* were wanting in them) did make report, that it was agreed by the said Committee, that the want of the said words did not at all hinder, or impeach the validity of the said Writs of Summons, and so consequently of those preceding Parliaments, or this present now Assembled.

On *Saturday* the 4th day of *Feb.* the Bill for Tonnage and Poundage to be granted to the Queens Majesty, was read the second time, and Ordered to be Ingrossed.

There passed divers Arguments in the House, touching a Request to be made to the Queens Highness,

Highness, for her Marriage; but by whom the said Arguments were made, or what the substance of them was, or what was resolved by the House upon them, is through the negligence of the Clerk of the House of Commons, omitted in the Original Journal-Book of the same; yet it may easily be gathered by that which followeth, on *Monday* the 6th day, and on *Friday* the 10th day of this Instant *February* ensuing; that the House did this day Resolve that such a Petition should speedily be drawn.

February the 5th *Sunday*.

On *Monday* the 6th day of *Feb.* the Bill for the Subsidy granted by the Temporality, was read the second time, and thereupon Ordered to be Ingrossed.

The Bill for the restitution of Tents, and First-Fruits, was brought from the Lords by Mr Attorney and Mr Solicitor, the manner of whose delivery thereof, being not found in the Original Journal-Book of the House of Commons, I have caused to be supplied, according to the usual course thereof.

The said Mr Attorney and Solicitor, being admitted into the said House, came up close to the Table, where the Clerk sate, and made three Congies, and then acquainted Sir *Thomas Gargrave* the Speaker, that the Lords had sent unto the House such a Bill; of which one of them read the Title, and so again departed the House, having made three other Congies.

It was Ordered by the House, that Mr Speaker with all the Privy-Council, and thirty other Members of the same, should attend upon the Queen this Afternoon, to petition her Majesty, touching her Marriage, in such manner and Form, as had been on *Saturday* last agreed upon; but whether they were admitted to her Majesties presence, doth not appear, nor can possibly be gathered out of the Original Journal-Book of the House of Commons; neither in what manner their Petition was framed, although it is plain by her Majesties Answer, inserted at large, on *Friday* the 10th day of this instant *February* ensuing, that it was only general, to perswade her Majesty, for the welfare of her State and Kingdom, to be pleased to marry, without limiting the time, Person or place. And howsoever, whether this aforesaid Petition were delivered this Afternoon or no, most likely it is, that her Majesty deferred, and took time to give an Answer in so weighty a business, until the said 10th day of *February* aforesaid, which I do the rather gather, not only from the above-mentioned Original Journal-Book it self, in which there is no report or mention of her Majesties Speech, made unto the House by the Speaker, until in the Forenoon of the said day; but also from an antient written Copy of her Majesties said Answer, which I had by me, in which it is referred unto the said 10th day of *February*, as then uttered by her, which will also more fully appear in the passages of the said day, where it is at large set down.

On *Tuesday* the 7th day of *February*, the Bill that the Citizens of *York* may take Apprentices notwithstanding the Statute to the contrary, was read the first time.

The Bill also for the Subsidy of Tonnage and Poundage, was read the third time, and passed; which may be gathered by these words, *viz. Judicium assent.* placed in the inner margent before the beginning of the entrance of the title of the said Bill in the Original Journal-Book of the House of Commons; by which words I suppose the Clerk intended, as much as if he had recorded it at large, that upon the said third reading of the Bill, it passed the House by the judgment and assent of the same. The manner and form of which third reading I have thought good to cause to be applied to the present occasion, according to the usual course therein accustomed.

The Clerk of the House standing up read the Title and the Bill aforesaid, and kissing his hand, delivered the same unto the Speaker, who standing up uncovered, read again the Title of the said Bill, and opened shortly the effects thereof; and then said, This is the third reading of this Bill; and told them further, that with their favour he would now put it to the Question, for the passing; but paused a while to see, if any Member of the House would speak unto it (which at this day is commonly most used upon the third reading of a Bill) and whether any of the said House spake unto the said Bill or no, doth not appear. But the Speaker holding the Bill in his hand, made the Question for the passing of it in this sort, *viz.* As many as are of the mind, that the Bill shall pass, say Yea; which being Answered accordingly by the House, or the greatest part of them, the Bill passed; and so he delivered it again unto the Clerk, who because the Bill was Originally begun, and first passed in the House of Commons, wrote within the said Bill, on the top of it towards the right hand, these words, *viz. Soit baille aux Seigneurs.*

The House was Adjourned until *Thursday* next, because the Morrow following, being *Ash-Wednesday*, there was a Sermon to be Preached at the Court, before the Queen, at which (as it should seem) the greatest part of the House desired to be present.

On *Thursday February* the 9th. the Bill for *Melcomb Regis* in the County of *Dorset*, to be fortified, was read the first time; And the Bill also to restore the Supremacy of the Church of *England*, to the Crown of the Realm, was read the first time, and committed to Mr *Cooke*, as he is there termed, and elsewhere Sir *Anthony Cooke*, and as is very probable, also to some others not named. For it may be here noted, that in the first Journals of her Majesties time, the title of Mr only, is ordinarily given to Knights.

Mr Solicitor and Mr *Martin*, brought from the Lords the Bill for the Queens Title to the Crown, which was delivered in such order and manner, as was the Bill for the Restitution of Tents and First-Fruits, on *Monday* the sixth day

day of this Instant *February* foregoing.

Friday 10 Feb. the Bill for one Subsidy, and two Fifteens and Tenths, was read the third time and past.

Mr Speaker declared the Queens Majesties Answer to the Message, which was read to the House by Mr *Mason*, to the great honour of the Queen, and the contentation of this House; which is all that is contained in the Original Journal-Book of the House of Commons, touching this great business of their Petition, preferred to her Majesty, to induce her to marry; and therefore it shall not be amiss to leave some larger memorial thereof; for this business, having been first propounded and resolved on in the said House, on *Saturday* the 4th day of this instant *February* foregoing, and preferred to her Majesty (as it should seem) on the *Monday* following in the Afternoon, was not answered by her Majesty until this Morning, and was then also read in the said House; as appeareth by the foregoing imperfect mentioning thereof. And I am the rather induced to conceive, that her Majesty gave not her Answer until this Morning, to the said Petition of the Commons, from a Copy of the said Answer, which I have by me, written by *Alexander Evesham*, which said Answer out of the said Copy (in which it is referred to this instant 10th day of *February*) with the title and subscription thereof, do now in the next place follow, *verbatim*.

Friday 10th of Feb. 1558. &c.

The Answer of the Queens Highness, to the Petition propounded unto her, by the Lower House, concerning her Marriage.

AS I have good cause, so do I give you all my hearty thanks, for the good Zeal and loving Care you seem to have, as well towards me, as to the whole Estate of your Country. Your Petition I perceive consisteth of three parts, and my Answer to the same shall depend of two.

And to the first part, I may say unto you, that from my Years of Understanding, sith I first had consideration of my self to be born a Servant of Almighty God, I happily chose this kind of life, in the which I yet live: which, I assure you, for mine own part, hath hitherto best contented my self, and I trust hath been most acceptable unto God: from the which, if either Ambition of high Estate, offered to me in Marriage, by the pleasure and appointment of my Prince (whereof I have some Record in this presence (as you our Treasurer well know) or if eschewing the danger of mine Enemies, or the avoiding of the peril of Death, whose Messenger, or rather a continual Watchman, the Princes indignation, was no little time daily before mine Eyes (by whose means (although I know, or justly may suspect) yet I will not now utter, or if the whole cause were in my Sister her self, I will not now burthen her therewith, because I will not charge the Dead)

if any of these, I say, could have drawn, or dissuaded me from this kind of life, I had not now remained in this Estate, wherein you see me. But so constant have I always continued in this determination, although my Youth and words may seem to some hardly to agree together, yet is it most true, that at this day I stand free from any other meaning, that either I have had in times past, or have at this present; with which Trade of Life I am so thoroughly acquainted, that I trust, God, who hath hitherto therein preserved and led me by the hand, will not of his goodness suffer me to go alone.

For the other part, the manner of your Petition I do well like, and take it in good part, because it is simple, and containeth no limitation of place or person; if it had been otherwise, I must needs have misliked it very much, and thought it in you a very great presumption, being unfitting and altogether unmeet for you to require them, that may command; or those to appoint whose parts are to desire, or such to bind and limit, whose Duties are to obey, or to take upon you to draw my Love to your liking, or to frame my will to your fantasie: For a Guerdon constrained, and gift freely given, can never agree together. Nevertheless, if any of you be in suspect, whensoever it may please God to incline my heart to another kind of Life, you may very well assure your selves, my meaning is not to determine any thing, wherewith the Realm may or shall have just cause to be discontented. And therefore put that clean out of your heads. For I assure you (what Credit my assurance may have with you, I cannot tell, but what Credit it shall deserve to have, the sequel shall declare) I will never in that matter conclude any thing that shall be prejudicial to the Realm. For the well, good and safety whereof, I will never shun to spend my Life, and whomsoever my chance shall be to light upon, I trust he shall be such, as shall be as careful for the Realm, as you; I will not say as my self, because I cannot so certainly determine of any other, but by my desire he shall be such as shall be as careful for the preservation of the Realm, and you, as my self. And albeit it might please Almighty God to continue me still in this mind, to live out of the State of Marriage, yet is it not to be feared but he will so work in my Heart, and in your Wisdom, as good Provision by his help may be made, whereby the Realm shall not remain destitute of an Heir that may be a fit Governour, and peradventure more beneficial to the Realm than such Off-spring as may come of me. For though I be never so careful of your well doing, and mind ever so to be, yet may my Issue grow out of kind, and become perhaps ungracious, and in the end, this shall be for me sufficient, that a marble stone shall declare, that a Queen having Reigned such a time, lived and died a Virgin. And here I end, and take your coming to me in good part, and give unto you all my hearty thanks, more yet for your Zeal and good mean-

ing,

ing, than for your Petition. And under her Majesties Answer aforesaid, was subscribed in the same hand, as followeth;

This was Copied out of a Printed Copy, garnisht with gilt Letters, given to the Honourable the Lady *Stafford*, of her Majesties Privy-Chamber, and written out by *Alex. Evesham*, 1590. By which subscription the authentickness of this Copy doth sufficiently appear.

On *Saturday* the 11th of *Feb.* the Letany was said by the Clerk kneeling, and answered by the whole House on their Knees with divers Prayers.

The Bill touching Tanners, Curriers, and Shoemakers for Tann'd Leather, And the Bill for selling of Tann'd Leather in Markets, were each of them read the first time. As also the Bill for the Recognition of the Queens Majesties title to the Crown, was read the first time and committed.

The Bill also touching Liberties of *Hexham* and *Hexamsbire*, and the Bill for the Confirmation of divers Grants and Leases, made by Bishops deprived, were each of them read the first time.

Mr Solicitor and Mr Dr *Lewis*, brought from the Lords two Bills, one concerning Treasons, and another for Explanation of the Statute of seditious words and rumors.

The Bills for Tonnage and Poundage, and for the Subsidy of the Temporalty, were sent up to the Lords, by Mr Treasurer and others not named in the Original Journal-Book of the House of Commons.

On *Monday* the 13th day of *February*, the Bill for Garbling of Feathers was read the first time.

The Bill for thicking of Caps by mens Feet and Hands, And the Bill for annexing the Supremacy to the Crown, were each of them read the second time; both which Bills as it should seem were now dashed upon the second reading aforesaid; the first of them (as probably may be gathered) without any great dispute, but the latter being of great weight was long argued (as appears plainly by the Original Journal-Book of the House of Commons) before it was dashed; and the new Bill framed to the same effect, was read the first time on *Tuesday* the 21th day, the second time on the 22. day, and the third time on *Saturday* the 25. day of this Instant *February* ensuing; when it passed the House. *Vide plus* concerning this matter on *Tuesday* the 27. day of *April* ensuing.

On *Tuesday* the 14. day of *February*, the Bill to bring Artificers to dwell in Market Towns, was read the first time.

Divers Arguments passed in the House, touching the framing of a new Bill, for annexing of the Supremacy to the Crown.

On *Wednesday* the 15th day of *February*, Committees were appointed, for the drawing of a new Bill, for annexing of the Supremacy to the Crown.

The Bill to restore the Earl of *Pembroke*, Sir *John Mason*, Mr *H. Nevill*, Mr *Fitz Williams*, Sir *P. Foly*, Sir *Hen. Seymour*, Sir *Richard Sackvill*, Patentees by King *Edm.* the Sixth, of the late Bishop of *Winchesters* Lands; and the Bill for Order of Service and Ministers in the Church, were each of them read the first time.

Upon a Request made to the Lords, that thirty of this House might attend their Lordships, for the Authority of his place, whom it shall please the Queen to take to Husband; Mr Attorney declared from the Lords, that twelve of their Lordships will be to morrow in the Afternoon, in the Star-Chamber, to meet with the thirty Members of this House.

The Bill for punishment of divers Treasons, and the Bill for punishment of false rumors or tales, were each of them read the first time.

On *Thursday* the 16. of *Febr.* the Bill for Common-Prayer and Administring of Sacraments, was read the first time.

Two Bills also had each of them one reading, the first being the Bill for the payment of an imposition by French Men in *Somerset* and *Dorset*, to *Melcombe Regis*, was read the second time, and as it should seem, committed to Mr *South* and others not named.

The Bill for Recognition of the Queens Highness Title to the Crown, was read the second time, but no mention is made, that it was either referred to Committees, or Ordered to be ingrossed; and the reason thereof was, that this Bill had passed the Upper House, and was sent down to the House of Commons, on *Thursday* the 9. day of this instant *Feb.* foregoing, fairly ingrossed in Parchment, and therefore can be no more ingrossed, neither do the Lords ordinarily refer such Bills to Committees, unless there be very great cause, in respect that each House holding correspondency with others, they do not willingly submit that to the Agitation of a private Committee, which hath been allowed and approved by the wisdom of the whole House.

The Bill for the deceitful using of Linnen Cloth, was read the first time.

The Bill for the Recognition of the Queens Title to the Crown, was read the second time; but no mention is made, that it was either Ordered to be engrossed, or refer'd to Committees, because it had been formerly sent from the Lords.

The Bill for punishment of divers Treasons was read also the second time: which Bill being of great moment, was, as it should seem, committed to Mr Vice-Chamberlain (erroneously written *Fitz Chamberlain*, as may plainly be gathered) and others; although it had been sent down from the Lords on *Saturday* the 11th day of this instant *Feb.* foregoing: in which Case Bills usually pass of course in the House of Commons, when they come ready expedited in Parchment from the Lords.

The Bill for restitution in Blood of the Queens Highness, for the Attainder of Queen *Anne* her Highness

Highness Mother, being brought from the Lords by Mr Attorney, was read the first time.

On *Friday* the 17th day of *February*, two Bills of no great moment, had each of them one reading, of which the second, being the Bill to restore the First-Fruits and Tenth, with a new Proviso, was read the second time, and, as it should seem, committed to Mr *Sackvill* and others, although it had been formerly sent down from the Lords.

On *Saturday* the 18th day of *February*, four Bills of no great moment had each of them their first reading, of which the last was the Bill to reverse Judgments, *in præcip. quod red.* for lack of Summons.

The Bill for Leafes and Offices made by the deprived Bishops, was read the second time, and as it should seem committed to Mr *Gates* and others.

The Bill also for the Patentees of the Bishop of *Winchesters* Lands, was read the second time.

The Bill lastly, for restitution in Blood of the Queens Highness after Queen *Anne* was read the second time, but no mention is made, that it was either Ordered to be ingrossed, or referred to Committees, because it had been sent from the Lords on *Thursday* the 16th of this instant *February* foregoing.

On *Monday* the 20th day of *February*, the new Bill for Tanning and selling of Tann'd Leather, and the new Bill for regrating of Tann'd Leather, were each of them read the first time.

The Proviso from what time the Repeal of the Attainder of Cardinal *Poole* shall have commencement, was read the first time.

The Bill touching common Recoveries, was read the first time.

The Bill for the Sessions to be holden in *Pembroke* Town, was read the second time, and Ordered to be ingrossed; and the Bill explaining the Act of Regrators, Foretallers, &c. was read the second time.

The Proviso in the Bill for First-fruits, was read the first and second time.

The Bill lastly, of Tonnage and Poundage, was brought from the Lords by Mr Solicitor.

On *Tuesday* the 21th day of *February*, three Bills of no great moment, had each of them their first reading: of which the last was the new Bill for the payment of an imposition by Frenchmen to *Melcomb Regis* in *Dorsetshire*.

The Bill for the First-Fruits and Tenth, annexed to the Crown; and the Bill for the restitution in Blood of the Queen, after her Highnesses Mother, did each of them pass upon their third reading, and were sent up to the Lords by Mr Comptroller and others, with the Bill of the Subsidy.

The new Bill for the Supremacy of the Church, &c. annexed to the Crown, was read the first time.

On *Wednesday* the 22th day of *February*, two Bills of no great moment, had each of them one

reading, of which the second being the Bill for Supremacy of the Church annexed to the Crown, was read the second time, and ordered to be engrossed.

The Bill for restitution of *Gerson Wroth* to be naturally English Born, was read the first time.

The Bill against regrating of Tann'd Leather, and Carriers of Leather, The Bill for Tanners and selling of Leather in open Market, And the Bill touching the Repeal of the Attainder of Cardinal *Poole*, were each of them read the second time, and Ordered to be ingrossed.

Two Bills lastly, of no great moment, had each of them one reading, of which the last, being the Bill for punishment of Treasons, with a Proviso from the House of Commons, was read the third time, and passed the House.

On *Friday* the 24th day of *February*, the Bill touching carrying of Woollen-Cloths over the Sea, The Bill for searching and sealing of Woollen-Cloths, And the Bill for *Heneden* and *Holden-shire*, parcel of the Bishoprick of *Durham*, to be to Sir *Francis Jobson* Knight, were each of them read the first time.

The Bill for the restitution of the Blood of Sir *James Croft*, and the like Bill for Sir *Hen. Gates*, were brought from the Lords by Mr Comptroller and others.

John Smith returned a Burgess for *Cammelford* in *Cornub.* upon a Declaration by Mr *Marsh*, that he had come to this House being Out-lawed, and also had deceived divers Merchants in *London*, taking Wares of them to the sum of three hundred pounds, minding to defraud them of the same, under the colour of the Priviledge of this House, the Examination whereof being committed to Sir *John Mason* and others of this House, it was found and reported to be true, and a Writ of *Capias utlagatum* against him, was directed to the Sheriff of *London*, return. *Quinzdena Paschæ* next, at the Suit of *Will. Pinchbeck* and *Johan* his Wife, in a Plea of Detinue.

Upon which matters consultation being had in the House, the Question was asked by Mr Speaker, if he should have priviledge of this House or not. But by the more number of Voices it seemed, that he should not have priviledge. And upon the division of the House, the number that would not have him to be priviledged, was a hundred and seven persons, and the number that would he should be priviledged, was a hundred and twelve, and therefore it was Ordered that he should still continue a Member of the House. *Vide* concerning this matter in a like President in *an. 35 Regin. Eliz.* in the Journal of the House of Commons, on *Thursday* the first day, *Friday* the 2^d day, on *Saturday* the 17th day, and on *Monday* the 19th day of *March*.

On *Saturday* the 25th day of *February*, the Bill for the Incorporation of *Trinity-Colledge* in *Cambridge*, and the Bill for the preservation of the Fry of Eels and Salmons, were each of them read the first time.

The Bill for the Supremacy of the Churches of *England* and *Ireland*, and abolishing of the Bishop of *Rome*, with a Proviso for *Richard Chettwood* and *Agnes Woodhall*, was read the third time, and passed upon the Question. And one other Proviso touching *Robert Harecourt* Merchant of the *Staple*, was read the first, second, and third time.

On *Monday* the 27th day of *February*, five Bills of no great moment, had each of them one reading, of which the three last, being for the restitution in blood of *John Lord Grey*, *Sir James Crofts*, and *Sir Henry Gates*, were each of them read the first time.

The Bill touching the Declaration of the Repeal of the Attainder of *Cardinal Poole*, was read the third time, and passed the House, and was sent up to the Lords by Mr Treasurer, together with the Bill touching the Queens Supremacy, and also the Bill of Treasons.

The new Bill for preservation of Woods was read the first time.

The Bill lastly, for repealing and reviving an Act for Shoemakers and Curriers, And the Bill for Tanners and selling of Tann'd Leather in Markets or Fairs, were each of them read the third time, and passed upon the Question.

On *Tuesday* the 28th day of *February*, three Bills of no great moment had each of them one reading, of which the last being the Bill for assurance of certain Lands, late parcel of the Bishoprick of *Winchester*, granted to King *Edward* the Sixth, and by his Letters Patents granted to the Earl of *Pembroke*, *Sir William Fitz-Williams*, *Sir Philip Hobbie*, *Sir John Mason*, *Sir Henry Seymour*, *Sir Henry Nevil*, and *Sir Richard Sackvill*, was read the first time, and as it should seem committed to Mr *Kingsmill* to be considered of.

John Owersfall one of the Burgeses for *Hull*, *Edmund Gascoigne* Burges for *Thetford* in the County of *Norfolk*, and *William Carvell* one of the Burgeses for *Northampton*, were each of them, in respect of their several occasions, Licensed to depart.

On *Wednesday* the first day of *March*, the Bill for false using of Linnen-Cloth, and the Bill for Gavelkind for *Thomas Browne*, and *George Browne*, were each of them read the second time, and Ordered to be ingrossed.

The Bill against Cancellations of Recoveries was read the first time. And the Bill for allowances to be made to Sheriffs, being read the second time, was, as it should seem, committed to Mr Comptroller and others.

The Bill also for Ecclesiastical Laws to be made by thirty two persons, And the Bill for the assurance of certain Lands, late parcel of the Bishoprick of *London*, to the Lord *Wentworth*, the Lord *Rich*, and the Lord *Darcy*, were each of them read the second time, and thereupon Ordered to be ingrossed.

The Bill also for recognition of the Queens Highnesses Title to the Crown of this Realm,

was read the third time, and passed the House.

The Bill lastly, for restitution in Blood of the Lord *Grey*, and the Bill also for restitution in Blood of *Sir James Crofts*, were each of them read the second time.

The Bishop of *Winchester* in proper person, required the Copy of the Bill exhibited here, touching his Lands, which was granted; And further, to bring in his Answer and Counsel, on *Saturday* next at nine of the Clock.

On *Thursday* the 2^d Day of *March*, the Bill for restitution in Blood of *Sir Henry Gates*, was read the second time.

The Bill to revive a Fair at *Linn-Regis*, at *Candlemas*, was read the first time, And the Bill for changing the Parish Church of *Avernant* in *Wales*, And the Bill for Incorporation of *Trinity-Hall* in *Cambridge*, were each of them read the second time, and Ordered to be ingrossed.

The Bill touching Ingrossers and Forestallers of divers Victuals, was read the first time.

The Bill for searching and sealing Woollen Cloths, was read the second time.

Three Bills were sent up to the Lords by Mr Comptroller and others, of which one was the Bill for recognition of the Queens Highnesses Title to the Crown of this Realm.

The three Bills for restitution in Blood of *John Lord Grey*, *Sir James Crofts*, and *Sir Henry Gates*, had each of them their third reading, and passed the House.

The Bill lastly, concerning the Confirmation of the Bishoprick of *London*, to the now Bishop of *London*, was read the first time.

On *Friday March* the 3^d, the Bill for the restitution in Blood of *Edward Lemkenor*, and three of his Brethren, and six of his Sisters; And the Bill against often buying and selling of Horses and Mares, had each of them one reading.

The Bill for the true Garbling of Feathers, The Bill that Leases of Benefices shall not be charged with payment of Tenths, And the Bill against ingrossing of dead Victuals, called Monopoly, were each of them read the second time, and Ordered to be ingrossed.

The Bill for Assurance of Lands, late parcel of the Bishoprick of *London*, to the Lord *Wentworth*, the Lord *Rich*, and the Lord *Darcy*, The Bill for the Gavelkind Lands of *Thomas Browne* and *George Browne*, And the Bill for the Incorporation of *Trinity-Hall* in *Cambridge*.....

Mr *Mason* required that the Counsel of the Patentees for the Bishop of *Winchesters* Lands, may be here to morrow, to hear what the Bishop and his Counsel will say, which Request was granted by the House.

Mr Solicitor coming from the Lords, declared, that ten of this House shall attend certain of the Lords to morrow, for the Proviso in the Bill of Treasons.

Six Bills were sent up to the Lords from the House of Commons, of which one was the Bill for the Incorporation of *Trinity-Hall* in *Cambridge*,

bridge, and another for Gavelkind Lands.

On *Saturday* the 4th day of *March*, four Bills of no great moment, had each of them their first reading, of which the last was the Bill for the Assurance of *Hartlebury* and *Wycheuford*, to Sir *Francis Jobson*, and *Walter Blount* severally.

The Bill for the reviving of the Act for the carrying of Horses into *Scotland*, And that for the Restitution of *Robert Rudston*, were brought from the Lords by Dr *Vaughan*. *John Cheefeman*, one of the Burgesses of *Rumney* in the five Ports, for his business was Licensed to be absent.

The Bishop of *Winchester*, in proper person, opened his Title to the Mannors, saying, they had been parcel of the Bishoprick by a thousand three hundred Years, and required this House of Justice.

The Queens Attorney hearing the talk of the Bishop, required for the Queen, that he might be heard for the Queen, touching certain Lands late parcel of the said Bishoprick; and Day was given as well to Mr Attorney, as to the Bishop, to be here on *Monday* next, at half an hour before nine of the Clock.

Mr Chancellor of the Dutchy complained, that Mr *White* had called him a Witness not to like the Book of Service. Mr *White* answered that Mr Chancellor said, he wished the Book to be well considered of. But for that the House doth take that Mr *White* did mistake him, therefore Mr *White* standing asked him forgiveness, which Mr Chancellor did take thankfully.

On *Monday* the 6th day of *March*, the new Bill for Artificers in the County of *Kent*, to dwell in Towns, was read the first time.

Divers Arguments were had touching Cancellation of the Records in the *Chancery*, for the late Bishop of *Winchesters* Lands, and the Examination thereof was committed to Mr. Comptroller, and others.

The Queens Attorney, for that the Bishop of *Winchester* had brought Learned Counsel with him, desired they might say their minds, whereby Mr. Attorney might fully Answer; and the Bishop said, that his Counsel was not yet instructed; wherefore Mr. Attorney Answered, the effect whereof was that the Appeal made by *Gardiner* was not of effect. For that in the Commission, at his Deputation, was contained *cum appellatione remota*. And so the Grant made to King *Edward* the Sixth, by the Bishop, *ne point d'effect*.

Mr. *Noell* and Mr. *Bell* of Counsel with the Patentees, declared in effect for the Patentees, as Mr. Attorney had shewed for the Queen.

On *Tuesday* the 7th day of *March*, three Bills of no great moment, had each of them their first reading; of which the last being the Bill that Executors shall make the Supervisors privy to the performance of a Will, was committed to Mr. Chamberlain, as it should seem, to be considered of.

The Bill touching the late Bishop of *Worcesters* Lands, to Sir *Francis Jobson*, and Mr *Blount*,

was read the second time, and Ordered to be engrossed.

The Bill for carrying of unwrought Cloths of 6^l over the Seas, was read the second time.

The Bill to revive a Fair at *Linn Regis*, the day after the Purification of our Lady, was read the second time, and Ordered to be ingrossed; And the Bill for preservation of Woods being read also the second time, was committed.

The Bill touching the ingrossing of dead Victuals for a Monopoly; And the Bill for *Gerson Wroth* born in *Stratsburgh*, to be as being born in *England*, were each of them read the third time, and passed the House; and were sent up to the Lords by Mr. Vice-Chamberlain.

On *Wednesday* the 8th day of *March*, two Bills of no great moment, had each of them one reading, of which the second, being the Bill against Leases to be made by Spiritual persons, was read the second time, and Ordered to be ingrossed.

The Bishop of *Worcester* in proper person, required the Copy of a Bill, exhibited against his Bishoprick, and a day to make Answer in writing or otherwise.

The Bishop of *Coventry* and *Litchfield*, made the like Petition.

The Bishop of *Winchester* at this time, was *Richard Pate*, and the Bishop of *Coventry* and *Litchfield*, was *Ralph Banes*, whose stiff opposition against the Reformation of Religion perfected this Parliament; as also the free Liberty they had to defend their own Causes, either in person, or by their Counsel, do argue as in them, and divers other Bishops, at this time, much boldness and perverseness, so in her Majesty incomparable Lenity and Moderation, who so impartially and patiently suffered their opposition, and gave way to their Allegations, that so they might be fully convicted upon indifferent hearing.

It was Ordered, that the Bishop of *Worcester* shall have the Copy, and make his Answer upon *Saturday* next, and the Bishop of *Coventry* and *Litchfield* on *Monday* next after. And it is likewise granted, that the other parties shall then and there have their Counsel, to hear the Bishops.

On *Thursday* the 9th day of *March*, four Bills of no great moment, had each of them their first reading; of which the first was the Bill for the Assurance of the Jointure of the Dutchess of *Norfolk*.

The Bill to assure certain Lands, late of the Bishoprick of *Winchester*, to the Queen, and certain Patentees of King *Edward* the VI. was read the second time; but no mention is made that it was either Ordered to be ingrossed or referr'd to Committees, because they had been formerly sent down from the Lords.

On *Friday* the 10th day of *March*, the Bill touching Colledges and Chantries, surrendered to King *Henry VIII.* was read the first time.

The Bill for Restitution in Blood of *Robert Rudston*,

Rudston, And the Bill for the Restitution in Blood of *Edward Lemkenors* Sons and Daughter, were each of them read the second time, but no mention is made that they were either Ordered to be ingrossed, or referr'd to Committees, because they had been formerly sent down from the Lords.

The Bill against destruction of Fry of Salmons, Eels and other Fish, And the Bill for dwelling of Cloathiers in *Barford*; *Dedding*, *Coxal*, and *Bocking* in *Essex*, were each of them read the first time. And the Proviso devised by the Lords, in the Bill of Treasons, had its second reading.

The Bill for the Answering of the Revenues to the Queen, with the Incorporation of *Trinity-Hall*, were brought from the Lords by Mr Solicitor.

Rowland Lakin Burgefs for *Wenlock*, was Licensed to be absent for his business at the Assizes.

On *Saturday* the 11th day of *March*, the Bill to confirm Leases and Grants, made by Dr *Ridley* late Bishop of *London*, was read the second time, and Ordered to be ingrossed.

The Bishop of *Worcester* with his Counsel declared, that *Hooper* was not lawful Bishop, by reason of the Appeal of Bishop *Heath*, And so the Grant not good, and prayed the House to consider of it. *Vide* concerning this matter on *Wednesday* the 8. day of this instant *March* foregoing.

On *Monday* the 13th day of *March*, three Bills of no great moment, had each of them one reading; of which the last, being the Bill for the punishment of seditious words and rumours, was read the second time; but no mention is made that it was either Ordered to be ingrossed or referr'd to Committees, because it had been formerly sent from the Lords.

The Bishop of *London* in proper person, required a Copy of a Bill, put in for Confirmation of Leases granted by Doctor *Ridley*, Usurper of the Bishoprick, as he saith, which Copy was granted unto him, with addition, that the House doth intend to take his Title in the Bishoprick as it is, And to make his Answer by words, on *Wednesday* next preemtory, at nine of the Clock.

The Bishop of *London* at this time was *Edmund Bonner*, whose stiff opposition against the Reformation of Religion, perfected this Parliament; as also the free Liberty he had here to defend his own Cause, either in Person, or by his Counsel, doth argue as in him and divers others Popish Bishops at this time much boldness and perverseness, so in her Majesty incomparable lenity and moderation, who so impartially and patiently suffered their oppositions, and gave way to their Allegations; that so they might be fully convicted upon indifferent hearing.

The Bishop of *Coventry* and *Lichfield*, with his Counsel, declared, that for the Fine Levied, Mr *Fisher* hath no cause to complain. To the which, Mr *Fisher's* Counsel alledged, that the Fine was made by compulsion. *Vide* concerning this matter on *Wednesday* the 8th day of this instant *March* foregoing.

Thomas Church, one of the Citizens for *Hereford*, for his Affairs was Licensed to be absent.

On *Tuesday* the 14th day of *March*, the Bill for Liberties of *Hexham* and *Hexhamshire*, and the Bill for Craftsmen to dwell near the Sea in *Kent*, were each of them read the second time.

The Bill also for carrying of Leather and Tallow over the Sea to be made Felony, was read the second time.

Articles being devised for the punishment of the Bishop of *Winchester* and others, for Cancelling of Records: It was Ordered, that a Bill should be thereof drawn by Mr *Keilway*.

On *Wednesday* the 15th day of *March*, three Bills of no great moment, had each of them their first reading; of which the first was the Bill to restore deprived Bishops.

The Bill for Cloathiers to dwell in *Bocking*, *Coxal*, &c. was read the second time, and Ordered to be ingrossed. Two other Bills also had each of them their second reading; of which was one Bill for the Jointure and Marriage of the Dutches of *Norfolk*.

The Bishop of *London* in his proper person shewing the untruth of the Bill, as he takes it, did conclude, that the Commissioners for his Deprivation, did not according to their Commission. And yet by his Appeal, as also by his Letters Patents from Queen *Mary*, he standeth still Bishop, and the Grants made by Doctor *Ridley* void. *Vide* touching this matter on *Monday* the 13th day of this instant *March* foregoing.

The Bill lastly for Restitution in Blood of the Sons and Daughter of *Edward Lemkenor*, was read the third time, and passed the House.

On *Thursday* the 16th day of *March*, two Bills of no great moment, had each of them one reading: of which the second being the Bill to make lawful the Deprivations of Bishops and Spiritual persons, was read the first time.

The Bill for the Assurance of the Lands, late parcel of the Bishoprick of *Winchester*, to the Patentees of King *Edm. VI.* was read the second time, and thereupon Ordered to be ingrossed.

The new Provisoes from the Lords, in the Bill for the First-fruits, were read the first time, and the Proviso from the Lords in the Bill of Treasons, was read the third time, and passed the House.

The Bill for allowance of Sheriffs for the Justices Diets, and the Bill for the Restitution in Blood of *Robert Rudston*, were each of them read the third time, and passed the House.

The Bill for thicking of Caps in Mills, was read the third time, and upon the question was dashed.

The Bill lastly, for renewing one of the Fairs at *Linn Regis*, and the Bill for the new Parish Church of *Abernant* in *Wales*, were each of them read the third time, and passed the House.

Robert Buxton Burgefs of *Brembre* in *Suffex*, was Licensed to be absent, for the Duke of *Norfolks* Affairs.

On *Friday* the 17th day of *March*, the Bill

for the Shipping of Woollen Cloaths of 5^l 10^s over the Sea ; The Bill for Artificers in *Kent* and *Suffex*, And the Bill against carrying over Sea of Leather, Hides or Tallow to be Felony, were each of them read the second time, and Ordered to be ingrossed.

The Bill, that no persons shall be punished for using the Religion used in King *Edwards* last Year, was read the first and second time, and Ordered to be ingrossed. And the Bill that Licenses shall be good but during the Princes Reign, was read the second time, and Ordered likewise to be ingrossed.

The Bill for true Answering of Customs, and unlading of Goods in the day time, was read the first time, and as it should seem, referr'd to Mr Chancellor to be considered.

Three Bills lastly of no great moment, had each of them one reading ; of which one being the Bill for the Jointure of the Dutchess of *Norfolk*, and another against seditious words and rumours against the Queen, had each of them their third reading, and passed the House.

On *Saturday* the 18th day of *March*, the Bill against buying of Horses to sell shortly again, And the Bill for the Assizes to be kept in the Town of *Stafford*, were each of them read the second time, and thereupon Ordered to be ingrossed.

Two Bills of no great moment, had each of them one reading, of which one being the Bill against unlawful Assemblies, was read the first time, and (as it should seem) committed to Mr *Smith* to consider of it.

Three Bills lastly, had each of them their third reading, of which one being the Bill for Assurance of divers Mannors, late parcel of the Bishoprick of *Winchester*, to King *Edward* the Sixths Patentees, was upon the Question passed the House.

The Bill for the Supremacy was brought from the Lords, by Mr Attorney, to be reformed. *Vid.* concerning this Bill on *Thursday* the 27th of *April* ensuing.

John Malock Burges for *Linne*, and *Robert Moone* Burges for *Britport*, for their several Affairs have Licence to be absent.

On *Monday* the 20th day of *March*, two Bills of no great moment, had each of them one reading, of which the second being the Bill touching the Assizes and Gaol-Delivery, was read the third time, and passed the House : and was presently sent up to the Lords, with divers others, by Mr Vice-Chamberlain.

The Bill that the Queen shall make Rules for Colledges and Schools, was read the second time and ordered to be ingrossed. And the Bill for continuance of the last Act for Rebellions, was read the first time.

The Proviso sent from the Lords, with the Bill of First-Fruits, was read the second time. And the Proviso and Reformation in the Bill of Supremacy, was read the first time ; *de qua vide* on *Thursday* the 27th of *April* ensuing.

On *Tuesday* the 21th day of *March*, two Bills of no great moment, had each of them one reading ; of which the second being the Bill for Tanning and selling of Tann'd Leather, was read the first time.

The Bill against unlawful Assemblies, was read the second time, and ordered to be ingrossed. And the Proviso and Reformation in the Bill touching Supremacy, was read the second time.

Two Bills also had each of them one reading, of which one being the Bill that the Queens Majesty shall make Orders in Collegiate Churches, was read the third time, and passed the House, and was sent up to the Lords by Mr Vice-Chamberlain and others.

The new Bill against Cancelling of Records by Warrant or otherwise, was read the first time.

Two Bills also had each of them their second reading, of which one was the Bill to make lawful the Deprivations of the Bishops of *London*, *Winchester*, *Worcester*, and *Chichester*, in the time of King *Edward* the VI.

The Bill that the Queens Highness shall Col-late or appoint Bishops in Bishopricks being Vacant, was read the first and second time, and thereupon Ordered to be ingrossed.

On *Wednesday* the 22th day of *March*, the Bill to continue the Act for Rebellious Assemblies, The Bill for Collating of Bishops by the Queens Highness, and without Rites and Ceremonies, And the Bill for Tanners and selling of Tann'd Leather, were each of them read the third time, and passed the House, and were sent up to the Lords by Mr Comptroller.

The Provisoes and Additions by the Lords in the Bill of Supremacy, and the Provisoes from the Lords in the Bill of First-Fruits, were read the third time, and passed the House.

Four other Bills lastly, of no great moment, had each of them one reading, of which the last was the Bill to revive the Act against Carriage of Horses into *Scotland*, and was read the third time, and passed ; and was with three others, sent up to the Lords by Mr Chancellor of the Dutchy.

On *Thursday* the 23th day of *March*, it was reported to this House by one of the Burgeses, that Mr *Story* had not well used himself, being a Member of this House, to go before the Lords, and be of Counsel with the Bishop of *Winchester* against the Patentees, which by the House was taken to be a fault. Whereupon Mr *Story* excused himself by ignorance of any such Order. And nevertheless had since considered of it, and doth acknowledge it not to be well done, and therefore required the House to remit it, which willingly by the House was remitted. *Vide* touching this business on *Wednesday* the first day, *Friday* the third, *Saturday* the fourth, and on *Monday* the Sixth day of this instant *March* foregoing.

On *Friday* the 24. day of *March*, for weighty Affairs to be done in this Parliament, according

to the Example of the Upper House, this Court of the House of Commons is according to former Presidents Adjourned until *Monday* the third day of *April* next coming. But upon what occasion the House of Commons was this day Adjourned, doth not at all appear in the Original Journal-Book of the same House, but most probable it is, that it was by reason of a disputation had and agitated this Forenoon in *Westminster Church*, between the Popish Bishops, and some Learned men of the Protestant Religion, which is at large set down, *Acts and Monuments*, à pag. 1919. usq; ad pag. 1922. at which the Lords of the Upper House, and the Knights, Citizens and Burgeses of the House of Commons, desired (as it should seem) to be present. *Vide* also on *Monday* the third day of *April* next ensuing.

On *Monday* the third day of *April*, Mr. Speaker with a few of this House was present, and part of the Bill for sealing of Cloths was read; but for that this day was appointed to have disputation before the Council and Lords in *Westminster Quire*, between the Bishops and Mr. *Horne*, Mr. *Cocks*, and other English Men that came from *Geneva*; And for that it was meet, that they of this House should be there present, to hear; this Court was continued until the Morrow following.

Her Majesties godly desire to abolish superstition, and to preserve Unity and Truth in the Church, doth fully appear by the appointment and permission of this disputation, which began in *Westminster Church*, on *Friday* the last day of *March* immediately foregoing, not here mentioned, as is at large set down in that Laborious and Voluminous Work of Mr. *Fox* his *Acts and Monuments*.

On *Tuesday* the 4. day of *April*, the Bill to revive the Act for Holy-days and Fasting-dayes; and the Bill against Sorceries, Witchcrafts, and Prophecies, of Badges and Arms, were each of them read the second time, and Ordered to be ingrossed.

On *Wednesday* the 5. day of *April*, the Bill for the true Answering of the Queens Majesties Revenues, was read the second time, but no mention is made that it was Ordered to be engrossed, or referr'd to Committees, because it had been formerly sent from the Lords.

On *Thursday* the 6. day of *April*, the Bill to restore spiritual persons deprived in the time of Queen *Mary*, was read the second time, and as it should seem, was committed to Mr. *Goldsmith* and others not named.

The Bill that all such Colledges and Chantries granted to King *Edward* the Sixth, shall be also in the Queens Majesty, was read the first time. And lastly, the Bill against buying and selling of Horses, was upon the third reading Ordered to be ingrossed. *Quod nota.*

On *Friday April* the 7. the Bill touching the Orders for Men-servants, was read the first time. And (as it should seem) committed unto Sir *Anthony Coke*, to consider of it.

The Bill touching Shipping of Wares, and the Bill for the true Answering of the Customs for Merchandizes, were each of them read the first time.

The Bill for Bishops Temporalities, was brought from the Lords by Mr. *Weston* and Doctor *Vaughan*; and the Bill lastly, that the Queen shall have the Bishops Temporalities during the Vacation, for recompence of Tythes and Parsonages impropriate, was read the first time.

On *Saturday* the 8. day of *April*, the Bill to revive the Act for sowing of Flax and Hemp, and the Bill for encrease of Woods, had each of them their first reading.

The Bill touching Colledges and Chantries granted to King *Edward* the Sixth, to be in the Queen by Explanation of this Bill, was read the second time, and (as it should seem) committed to Mr. *Mersb* and others not named.

The Bill lastly, that the Queen and her Heirs shall have the Temporalities of Bishops for recompence of Tenths and Parsonages impropriate, was also read the second time; but no mention is made that it was either referr'd to Committees, or Ordered to be ingrossed, because it had been formerly sent from the Lords.

On *Monday* the 10. day of *April*, the Bill for sealing of Woollen Cloaths, was read the first time. It was this day Ordered that the names shall be called on *Wednesday* next in the Afternoon.

Two Bills of no great moment, had each of them one reading, of which one being the Bill, that the Inhabitants, being Craftsmen, in *Kent*, shall dwell near the Sea-Coasts, was read the third time and pass'd the House.

The new Bill lastly, to avoid the usurped power claimed by any Foreigner in this Realm, and for the Oath to be taken by spiritual and temporal Officers, was read the first time.

On *Tuesday* the 11. day of *April*, the Bill to preserve the Spawn and Fry of Fish, And the Bill to continue the Act made for sowing of Hemp and Flax; were each of them read the second time, and Ordered to be ingrossed.

On *Wednesday* the 12. day of *April*, the Bill to avoid all Foreign Power, used by any Foreign Potentate in the Realm, and for the Oath to be taken, was upon the second reading Ordered to be ingrossed.

Two Bills lastly had each of them one reading, of which the last being the Bill for punishment of such persons as misuse Linnen-Cloth with Chalk, was read the third time and passed the House.

On *Thursday* the 13. day of *April*, the Bill for restoring the spiritual Jurisdiction to the Imperial Crown of the Realm, and abolishing Foreign Power, was read the third time; and upon the question pass'd the House.

The Bill to revive the Act for punishment of Rebellions, was read the first time, and the Bill for entring the goods of Merchants, and unlading, and for Customs of Sweet Wines, was read the second time.

Robert Whitney one of the Knights for *Hereford*, was Licenced to go home, because his Wife was lately departed.

On *Friday* the 14th day of *April*, four Bills were sent up to the Lords by Mr Vice-Chamberlain, of which one was the Bill for punishment of such persons as misuse Linnen-Cloth with Chalk, and another for the abolishing of Foreign Power.

The Bill for searching and sealing of Woollen-Cloths, The Bill for making of Frizes in *Cardigan*, *Cardmarthen*, and *Pembroke*, And the Bill to explain the Statute made against Ingrossers of Dead Victuals, were each of them read the first time.

On *Saturday* the 15th day of *April*, the new Bill for the Assurance of Lands, parcel of the Bishoprick of *Worcester*, to Sir *Francis Jobson*, and *Walter Blunt*, was read the first time.

It was Ordered that the Serjeant shall shew unto the Master of the Rolls, that his Servant *Thrower* shall be here, on *Monday* next, to Answer to certain evil words spoken by him, against the House, opened by Mr *Skinner*, and Mr *Carnesewe*. *Vide plus* concerning this business on *Monday* the 17th day of this instant *April* ensuing.

Seven Bills of no great moment, had each of them one reading, of which one being the Bill that *Hexham* and *Hexhamshire* shall be of the County of *Northumberland*, and another for Confirmation of Leases, Grants of Offices, and Copyholds by *Nicholas Ridley* late Bishop of *London*, and a third to avoid the often buying and selling of Horses and Mares, had each of them their third reading, and passed the House.

On *Monday* the 17th day of *April*, the Bill touching Knights and Burgeesses, for Attendance in the Parliament, was read the first time.

The Bill to revive the Act for destruction of Choughs and Crows, And the Bill to revive the Act against Rebellions, were each of them read the second time, and thereupon Ordered to be ingrossed.

The Bill that the Queens Majesty shall have divers temporal Lands of the Archbishops and Bishops, in recompence of Tenths and Parsonages Improprate, was read the third time, and passed upon the Question and Division of the House, *viz.* With the Bill a hundred thirty four, and against the Bill ninety.

The Bill for Restitution in Blood of *Henry Howard*, *Jane Howard*, and *Katherine* Wife to the Lord *Barkley*, was brought from the Lords by Doctor *Lewes* and others.

Mr *Carnesewe* declared to the House, that *Thrower* Servant to the Master of the Rolls, did say against the State of the House, that if a Bill were brought in for Womens Wyers in their Pastes, they would dispute it and go to the Question; and that he heard the Lords say as much at his Masters Table; and that these words were spoken on *Wednesday* last before *Easter*, at *Lincolns-Inn*.

Whereupon the said *Thrower*, being brought to the Bar by the Serjeant, denied these words to be spoken by him, and *Carnesewe* affirmed them; whereupon *Thrower* was Committed to the Serjeants keeping: *Vide* concerning this matter on *Saturday* the 15th day of this instant *April* foregoing.

On *Tuesday* the 18. day of *April*, the Bill for taking and having of Apprentices and Journey-men, was read the first time, and (as it should seem) committed to Mr *Arnold* to consider of.

The Bill for making of Frizes in length and breadth in *Wales*, was read the second time, and Ordered to be ingrossed.

Two Bills had each of them one reading. Of which one being the Bill for the Unity of the Service of the Church, and Ministration of the Sacraments, was read the first time.

John Griffith Esq; Knight for *Flintshire* in *Wales*, hath License to go home, for the delivery of Records at the next County.

On *Wednesday* the 19. day of *April*, the Bill for Lading in long Bottoms, and for Uniformity of Common-Prayer, and Service in the Church, were read the second time, and Ordered to be ingrossed.

On *Thursday* the 20. day of *April*, the Bill for the Restitution in Blood of *Henry Howard*, younger Son to the late Earl of *Surrey*, Lady *Jane Howard*, Lady *Katherine Howard*, Wife to Sir *Henry Lord Barkley*, and Lady *Margaret Howard*, was read the first time. And the Bill to revive the Act for killing of Rooks and Crows, was read the third time and passed.

Two Bills had each of them one reading, of which the latter being the Bill for the Unity of Service in the Church, and Administration of the Sacraments, was read the third time, and passed the House.

The Bill lastly, for the Watermen of the *Thames* to have Harque-Buts, Shots, &c. was read the second time, and as it should seem was committed to Mr *Cambden* and others not named.

On *Friday* the 21. day of *April*, the Bill to carry Corn out of the Realm; The Bill that Timber shall not be made for Cole to make Iron; The Bill that Hides of four years old shall be made for sole Leather; And a Bill for the good Order of Servants of Husbandry, and Artificers, and their Wages, were each of them read the first time.

On *Saturday* the 22. day of *April* (for that this day Mr Speaker, with most of the House, were all the Forenoon to hear the Arraignment in *Westminster-Hall* of the Lord *Wentworth*, for the loss of *Calis*) they sate not till the Afternoon; at which time, the Bill that Tanners shall convert Hides of Beasts of four years old and a half into soal Leather, was read the second time.

April the 23. *Sunday*.

On *Monday* the 24. day of *April*, the Bill for Restitution in Blood of *Henry Howard*, &c. was read the second time, but no mention is made that it was either Ordered to be ingrossed, or referred

referred to Committees, because it had been formerly sent from the Lords.

Three Bills had each of them one reading; of which the first being the Bill for the dissolution of Houses of Monasteries, Abbies, Priories, &c. erected since the Death of King Edward the VI. was read the first time.

The Bill lastly, for preservation of Spawn and Fry of Fish, was read the third time, and passed the House; And the Bill to take Goods and Merchandize, was read also the third time, and passed the House upon the Division thereof, viz. with the Bill eighty four, and against the Bill sixty six.

Robert ap Hugh Knight of Carnarvonshire, had Licence to be absent for his great business at the Assizes at Denbigh, on Monday next.

On Tuesday the 25th day of April, the Bill against burning of Timber into Cole, to make Iron in certain places, was read the second time.

Nine Bills were sent up to the Lords by Sir Anthony Coke, and others, of which one was the Bill for the preservation of Spawn of Fish, &c. And another was for the Uniformity of Common Prayer, for Service in the Church, and Administration of the Sacraments.

The Bill for Wages of Servants and Labourers; And the Bill for Dissolution of certain Abbies, Priories, Hospitals, &c. were each of them read the second time.

The Bill for the Restitution in Blood of the Lord Dacres of the South, was sent from the Lords by Mr Read and others.

Two Bills lastly, of no great moment, had each of them one reading (being the third) and passed the House; Of which one was the Bill to revive an Act against unlawful Assemblies, and the other for punishment of Sorcery, and Witchcraft, and Buggery to be Felony.

On Wednesday the 26th day of April, Two Bills of no great moment, had each of them one reading; Of which the first being the Bill for Restitution in Blood of the Lord Dacres of the South, was read the first time.

Two Bills of no great moment, had each of them one reading; of which the first being the Bill for making, searching, and sealing of Woollen Cloths, was read the second time, and thereupon Ordered to be ingrossed.

The Bill restoring to the Crown the Antient Jurisdiction over the State Ecclesiastical and Spiritual, and abolishing of Foreign Power repugnant to the same; with a Proviso added thereunto by the Lords, was sent down from their Lordships by Serjeant Weston and the Queens Attorney, which being omitted in the Original Journal-Book of the House of Commons, is therefore supplied out of that of the Upper House.

On Thursday the 27th day of April, the Bill for searching and sealing of Woollen-Cloths, was read the third time, and passed the House, and was sent up unto the Lords by Mr Secretary.

The Bill for Answering of Customs, and laying

Goods and Merchandizes on Land, was read the third time, and passed the House; and was sent up to the Lords by Mr Secretary, with the Bill of Supremacy reformed; concerning which Bill of Supremacy, *Vide* on Tuesday the 21th day, on Wednesday the 22th day, and on Saturday the 25th day of February last past; as also on Saturday the 18th day, Monday the 20th day, on Tuesday the 21th day, and on Wednesday the 22th day of March preceeding. *Et vide etiam* a Note touching this business in the Original Journal Book of the Upper House, on Saturday the 29th day of April foregoing.

The Bill for Garbling of Feathers, Forgings and Flocks, was read the third time, and passed the House; And lastly, the Bill that the Queen by Commission, may restore spiritual persons deprived, was read the first time.

On Friday the 28th day of April, the Bill for the Restitution in Blood of the Lord Dacres of the South, was read the second time.

Henry Clifford Gent. Burgeis for Bedmyn, was Licensed for his Affairs to be absent.

The Proviso in the Bill for Suppression of Abbies, Priories, &c. was read the first and second time.

On Saturday the 29. day of April, the Bill for Watermen on the Thames to have Harque-buts, &c. was read the second time, and Ordered to be ingrossed.

The Bill for Uniting of Abbies, Priories, Nunneries, Hospitals and Chauntries, founded since the Reign of Queen Mary, to be annexed to the Crown, was read the third time, and passed the House upon the Question, and was sent up to the Lords by Mr Vice-Chamberlain.

The Bill lastly, to restore such persons to their Benefices, as were unlawfully deprived, was read the second time, and was thereupon Ordered to be ingrossed.

April the 30. Sunday.

On Munday the first day of May, the Bill for the Restitution of the Brothers and Sister of the Duke of Norfolk; The Bill for the Restitution in Blood of the Lord Dacres of the South; The Bill that Timber Trees in divers places shall not be felled for Cole to make Iron; And the Bill that the Inhabitants of Dorking, Coxall, and Dedham Westbarford, &c. may make Woollen Cloths there; were each of them read the third time, and passed the House.

The Bill lastly, that Watermen of the Thames shall have and shoot in Harque-buts, &c. was read, and upon the Question and Division of the House, dashed by the difference of ten Voices, viz. with the Bill fifty two, and against the Bill sixty two.

On Tuesday the second day of May, the Bill that the Queen by Commission may restore such spiritual persons, as have been unlawfully deprived, was read the third time, and passed the House, and was sent up to the Lords by Mr Sadler and others, with the four other Bills which last passed.

The

The Bill lastly, for the continuance of divers Acts, was brought from the Lords.

On *Wednesday* the third day of *May*, three Bills of no great moment, had each of them one reading; of which the second being the Bill for carriage of Corn over Sea, when Wheat is 10^s, Barley 3^s 8^d, Beans and Rye at 6^s, and Oats at 3^s 4^d, the Quarter, was read the third time, and passed the House.

On *Friday* the 5th day of *May*, the Bill for continuance of certain Acts, was read the third time, and passed the House, and was sent up to the Lords by Mr. Secretary.

On *Saturday* the 6th day of *May*, the Bill touching Abbies, &c. was brought from the Lords, to be reformed with three Provisoos of their Lordships; And the Bill for preservation of Fry of Fish, was likewise brought down from the Lords to be amended.

May the 7th *Sunday*.

On *Monday* the 8th of *May*, the Provisoos in the Bill for preservation of the Fry and Spawn of Fish, were read the second and third time, and passed the House.

In the Afternoon the Queens Majesty sitting in her Royal Seat, the Lords and Commons attending, Mr Speaker made a Learned Oration, Exhibiting the Bill for the Subsidy, and the Bill of Tonnage and Poundage, and required the Queens Assent might be given to such Bills as had passed both the Houses; which Oration being praised and Answered by the Lord Keeper of the Great Seal, the Royal Assent was given to forty two Acts, and by the Queens Pleasure this Parliament was Dissolved.

¶ * *Henry* the VI. 6 *Martii* An. 31. called a Parliament at *Reading*; 8 *Martii*, *Thorpe* was Chosen Speaker; from thence the Parliament was Adjourned to *Westminster* till 25. *Apr.* where it continued till 2. *July*, and then Prorogued till 12. *Nov.* to *Reading*, again Adjourned till 12. *February*, after till 14. at *Westm.* During these Adjournments and Prorogations, *Richard* Duke of *York*, having got the Ascendant of the King, prepared Habiliments of War at the Palace of the Bishop of *Durham*; || *Thorpe* being Speaker, by Command of the King took the Arms; whereupon in *Michaelmas* Term the Duke brought his Action of Trespass in the Exchequer, against *Thorpe*, and upon Tryal that Term, recovered a thousand pound Damages, and ten pound for Costs of Suit, and thereupon *Thorpe* was Committed to the Prison of the Fleet, in Execution.

After all this the Parliament met 14. *Feb.* and the Duke of *York* having got a Commission to hold and dissolve the Parliament, laboured to keep *Thorpe* in Prison, whom he mortally hated, as being faithful to King *Henry*; and having gained his point in the Lords House, afterwards the Commons gave up their Speaker; which was no sooner done, and another Chosen, but the Duke, by the Assent of the Lords and Commons, and after Confirmed by Commission from the King, was made Protector of the Realm; *Thorpe* having paid the Debt, fled to the Kings Party, and after was taken at *Nottingham* Field, from thence sent to *Newgate*, then to the *Marshalsey*, and at last Beheaded at *Haringay* Park in *Middlesex*.

* Rot. Parl. 31. & 32 H. 6. n. 1, 7, 8, 9, 10, 12, 20, 22, 23, 24.
|| Rot. Parl. 1 H. 7. n. 26. An Act for Roger Thorpe.

THE JOURNAL OF THE House of LORDS.

A Journal of the Passages of the House of Lords in the Session of Parliament bolden at Westminster, An. 5 Regin. Eliz. An. D. 1562. which began there after one Prorogation of the same on Tuesday the 12th of January, and then and there continued until the Prorogation thereof upon Saturday the 10th day of April, An. D. 1563.

THIS Session in *An. 5 Regin. Eliz.* making but one and the same Parliament with that Session next ensuing, in *an. 8 Regine ejusdem*, is replenished with some extraordinary matter, besides the accustomed and usual passages of reading, committing, and expediting of Bills. For not only the pompous and solemn manner of her Majesties repairing to the Lords House, is set down; but the several Speeches also of that Eloquent Orator, and wise Statist, Sir *Nicholas Bacon* Lord Keeper, are supplied at large, together with such Interlocutory Speeches, as passed in the House of Peers, from *Thomas Williams* Esq; the Speaker or Prolocutor of the House of Commons; which said several Speeches, being not found in the Original Journal-Book of either House, are therefore supplied out of several written Copies, or Anonymous Memorials of them I had by me; especially the latter passages and Speeches, both when the Speaker was presented on *Friday* the 15th day of *January*, and when this Session of Parliament was Prorogued, on *Saturday* the 10th day of *April*, then next following, together with the Solemn and Royal manner of her Majesties passing to the House of Lords, on either of the said Days, are for the most part transcribed out of several Anonymous Memorials thereof, I had in my Custody, being doubtless the very Original Draughts or Autographs, set down by some observant Member of one of the Houses, or by some other person then present in the Upper House, for it was written in a hand of that time, and much interlined.

The Parliament was Summoned to begin at *Westminster*, on *Monday* the 11th day of *Jan.*

An. 5 Regin. Eliz. An. D. 1562. upon which day Sir *Nicholas Bacon* Knight, Lord Keeper of the Great Seal of *England*, with divers other Lords, repaired to the Parliament Chamber, commonly called the Upper House, and then and there in presence of the Lords Spiritual and Temporal, and of the Knights, Citizens and Burgeßes, Summoned to the same Parliament, the Lord Keeper declared, that the Queens Majesty, by reason of the evil disposition of her Health, could not be present this 11th day of *January*, and that she hath therefore been pleased to Prorogue the same, until to Morrow, being the 12th day of the same.

And to this purpose, a Writ Patent under the Great Seal of *England*, whereby the said Parliament was Prorogued unto the 12. day of this Instant *Jan.* was read publickly, by the Clerk of the Upper House, in these words following:

Elizabeth Dei gratia Angliæ, Franciæ & Hiberniæ Regina, fidei defensor, &c. prædilectis & fidelibus nostris Prælatiis, Magnatibus & Proceribus Regni nostri Angliæ, & dilectis & fidelibus nostris Militibus, Civibus & Burgen. dicti Regni nostri, ad Parlamentum nostrum apud Civitatem nostram Westmonasterii, undecimo die instantis mensis Jan. inchoand. & tenend. convocatis & electis, & vestrum cuilibet, salutem. Cum nos, pro quibusdam arduis & urgentibus negotiis, nos, statum & defensionem dicti Regni nostri Angliæ & Ecclesiæ Anglicanæ concernent. dictum Parlamentum nostrum, ad diem & locum prædict. teneri ordinaverimus, Ac vobis, per separalia Brevia nostra, apud Civitatem & diem prædict. interesse mandaverimus, ad tractand. consentiend. & concludend. super hiis, quæ in dicto Parlamento nostro tunc & ibidem

proponerentur, & tractarentur: Quibusdam tamen certis de causis, & considerationibus, nos ad tempus specialiter movent. dictum Parliamentum nostrum, usque duodecimum diem hujus instantis Mensis Jan. duximus prorogand. ita quod nec vos, nec aliquis vestrum, ad dictum undecimum diem Jan. apud Civitatem predictam comparere teneamini, seu arctemini, volumus enim vos, & quemlibet vestrum, inde erga nos penitus exonerari: Mandantes, & tenore presentium firmiter injungendo precipientes vobis & cuilibet vestrum, ac omnibus aliis, quibus in hac parte intererit, quod ad dictum duodecimum diem Januarii, apud predictam Civitatem Westmonasterii personaliter compareatis, & intersitis, & quilibet vestrum compareat & intersit, ad tractand. faciend. agend. & concludend. super hiis, que in dicto Parlamento nostro, de communi consilio dicti Regni nostri (favente Deo) contigerint ordinari. Teste me ipsa apud Westmonasterium nono die Januarii, anno Regni nostri quinto.

This day, although the Parliament began not, nor any Peers sate in the Upper House, but the Lord Keeper, and some others of either House, met only in the Parliament Chamber, to Prorogue the Parliament unto the 12. day of this Instant Month, as aforesaid, were divers Proxies returned, from many of the Lords, both Spiritual and Temporal, who in their absence did constitute others to give their Voices for them.

Nota, That the Duke of *Norfolk* was Constituted the sole or joint Proctor of four several Peers, and *Francis* Earl of *Bedford* was nominated the sole or joint Proctor of seven several Lords; whereof one was *Thomas* Archbishop of *York*, and another of them was *William* Bishop of *Exeter*; By which it doth appear, not only that a Spiritual Lord did Constitute a Temporal (which at this day is altogether forborn, as also for a Temporal Lord to Constitute a Spiritual, which was but rarely used during this Queens Reign.) but likewise that any Peer of the Upper House, by the ancient and undoubted usages and Custom of the same, is capable of as many Proxies as shall be sent unto him.

On *Tuesday* the 12. day of *January*, the Parliament held according to the Prorogation on yesterday foregoing, and about eleven of the Clock in the Forenoon, the Queens Majesty took her Horse at the Hall Door, and proceeded in manner as followeth.

First, All Gentlemen two and two, then Esquires, Knights, and Bannerets, and Lords, being no Barons, or under Age.

Then the Trumpeters sounding.

Then the Queens Serjeant, *M^r Carns*, in his Circot-Hood and Mantle unlined, of Scarlet.

Then *M^r Gerrard* the Queens Attorney, and *M^r Russell* Solicitor.

Then *Anthony Browne*, Justice of the Common Pleas, and *M^r Weston* of the Kings Bench.

Then the Barons of the Exchequer.

Then *M^r Corbett*, and *M^r Whidon*, two Justices of the Kings Bench.

Then *Sir Thomas Saunders*, Chief Baron of

the Exchequer, and *Sir James Dyer*, Chief Justice of the Common-Pleas.

Then *Sir William Cordall*, Master of the Rolls in his Gown, and *Sir Robert Catlin*, Chief Justice of the Kings Bench; and these Justices and Barons of the Exchequer, in their Scarlet Mantles, Hood and Circot edged with Miniver; the Mantle shorter than the Circot by a foot.

Then Knights Counsellors in their Gowns, as *Sir Anthony Cooke*, *Sir Richard Sackville*, *Sir William Peeters*, and *Sir Ambrose Cane*.

Then *Sir William Cecil* Chief Secretary, and *Sir Edward Rogers* Comptroller.

Then *William Howard* bearing the Queens Cloak and Hat.

Then Barons, in all forty, but there in number 30. *a. St. John* of *Bletso*, *Hunsdon*, *Hastings* of *Loughborough*, *Chandois*, *North*, *Effingham*, but now as the Lord Chamberlain, *Darcy* of *Chicke*, *Paget*, *Sheffield*, *Willoughby*, *Rich*, *Wharton*, *Evers*, *Cromwell*, *St. John*, *Mordaunt*, *Borough*, *Wentworth*, *Windsor*, *Vaux*, *Sands*, *Mountegle*, *Darcy* of *Menell*, *Ogle*, *Mountjoy*, *Lumley*, *Latimer*, *Scroope*, *Grey* of *Wilton*, *Stafford*, *Cobham*, *Dacres* of the *North*, *Dacres* of the *South*, *Morley*, *Barkley*, *Strange*, *Zouch*, *Audeley*, *Clinton*, but now Lord Admiral, and *Bargavenny*: their Mantles, Hoods, and Circot furr'd, and two Rows of Miniver on their right Shoulder.

Then proceeded the Bishops, all that were there present were but twenty two, as *Glocester* and *St. Asaph*, *Chester*, *Carlisle*, and *Peterborough*, *Normich*, and *Exeter*, *Lichfield* and *Coventry*, *Bath* and *Wells*, *Rochester*, and *St. Davids*, *Salisbury*, and *Lincoln*, *Bangor*, and *Worcester*, *Ely*, and *Hereford*, *Landaffe*, *Chichester*, and *Winchester*, *Durham*, and *London*; their Robes of Scarlet lined, and a Hood down their back of Miniver.

Then the Viscounts, their Robes as the Barons, but that they had two Rows and an half of Miniver, as the Viscount of *Bindon* absent, Viscount *Mountague*, and Viscount *Hereford* present.

Then the Earls, but nineteen present, the Earl of *Hertford*, the Earl of *Pembroke*, *Bedford*, *Southampton*, *Warwick*, *Bath*, *Huntington*, *Suffex*, *Cumberland*, *Rutland*, *Worcester*, *Darby*, *Shrewsbury*, *Westmoreland*, *Northumberland*, *Oxford*, and *Arundel*; their Robes of Scarlet, with their Rows of Miniver.

Then the Marquess of *Winchester*, but now as Lord Treasurer, and the Marquess of *Northampton*; the Duke of *Norfolk* went as Earl Marshal. Then the Lord Keepers Serjeant, and Seal, and after *Sir Nicholas Bacon*, Lord Keeper of the Great Seal, in his Gown.

Here *Clarenceux* and *Norroy*.

Then the Queens Serjeant at Arms, and after Garter.

Then the Duke of *Norfolk*, with the gilt Rod as Marshal; the Lord Treasurer with the Cap of Estate, and the Earl of *Worcester* with the Sword.

Then the Queens Majesty on Horseback, a little behind the Lord Chamberlain, and Vice-Chamberlain;

Chamberlain; her Grace Apparellled in her Mantle, opened before, furr'd with Ermines, and her Kirtle of Crimson Velvet, close before, and close Sleeves, but the Hands turned up with Ermines, and a Hood hanging low, round about her Neck, of Ermins. Over all a rich Coller, set with Stones and other Jewels, and on her Head a rich Caul. And the next after Her, the Lord *Robert Dudley*, Master of the Horse, leading the spare Horse. And after all, other Ladies, two and two, in their Ordinary Apparell. By side the Queen went her Footmen, and along on either side of her went the Pensioners, with their Axes; after the Ladies followed the Captain of the Guard, Sir *William St. Loe*, and after him the Guard.

In which Order Her Majesty proceeded to the North Door of the Church of *Westminster*, where the Dean there, and the Dean of the Chappel met her, and the whole Chappel in Copes; and *St Edwards* Staff, with the Inlet in the top, was delivered unto her; her Arm, for the bearing thereof, assisted by the Baron of *Hunsdon*; the Canopy born over her by *Charles Howard* Esq; Sir *George Howard*, Sir *Richard Blunt*, Sir *Ed. Warner*, Sir *John Perrott*, and Sir *William Fitz-Williams*, Knights; her Graces Train born up and assisted, for the weight thereof, from her Arms by the Lord *Robert Dudley*, Master of the Horse, and Sir *Francis Knowles*, Vice-Chamberlain; and so orderly proceeded to the Travers beside the Table of Administration. Although other Princes have used to be placed in the Quire till the Offering, but not now because there was neither Communion nor Offering; and so, she being placed, all the Lords sate down on Forms, besides the Travers; the Spirituality on the North side, and the Temporality on the South side; the Sword and the Cap of Estate laid down on the Table. Then the Quire sung the English Procession; which ended, Mr *Noell* Dean of *Pauls* began his Sermon, and first made his Prayer orderly for the Queens Majesty, and the Universal Church, and especially for that Honourable Assembly of three Estates there present, that they might make such Laws, as should be to Gods Glory, and the good of the Realm.

The Sermon being ended, and a Psalm sung, her Majesty and the rest orderly on foot proceeded out of the South Door, where she delivered the Dean the Scepter, and so proceeded into the Parliament Chamber, where the Queen stayed a while in her Privy Chamber, till all the Lords and others were placed, and then her Highness came forth, and went, and sate her down in her Royal Place, and Chair of Estate (the Sword and Cap of Maintenance born before her) and when she stood up, her Mantle was assisted and born up from her Arms, by the Lord *Robert Dudley*, Master of the Horse, and Sir *Francis Knowles* Vice-Chamberlain.

The Lord Keeper sate alone upon the uppermost Sack, until the Queen was sate, and then went and stood without the Rail, on the right hand the Cloth of Estate; and the Lord Treasu-

rer, holding the Cap of Estate, on the right hand before the Queen, Garter standing by him, and on the left hand standing the Earl of *Worcester*, with the Sword, and by him the Lord Chamberlain.

The Duke of *Norfolk* began the first Form, and the Viscount *Mountague* (for that the Viscount *Bindon* was not there) ended it.

The Lord *Clinton*, the Lord Admiral, began the Form behind that of Barons, and the Lord *St. John* of *Bletsoe* ended it.

The Archbishop of *Canterbury* began the Bishops Form, and the Bishop of *Glocester* ended the same.

On the Woolfack on the right hand, and Northside, sate Sir *Robert Catlin* and Sir *James Dyer* Chief Justices, Sir *William Peter*, *Anthony Browne*, *Corbett*, *Weston*, and Mr *Gerrard* the Queens Attorney.

On the Sack on the left hand and Southside, sate Sir *William Cordall*, Master of the Rolls, Sir *Edward Saunders* Chief Baron, Justice *Widdon*, Serjeant *Carus*, and Mr *Russell* the Queens Solicitor, and at their Backs sate Sir *Richard Read*, Doctor *Tale*, and Doctor *Vaughan*.

On the other Sack sate Doctor *Huicke*, *Spilman* Clerk of the Parliament, and Mr *Martin* Clerk of the Crown; and behind them kneeled Mr *Smith*, *Allen*, *Dyeter*, *Nicasius*, *Cliffe* and *Permitter*.

At the side hand of the Queen sate on the ground three or four Ladies, and no more; and at the back of the Rail, behind the Cloth of Estate, kneeled the Earls of *Oxford* and *Rutland* under Age, the Earl of *Desmond*, the Lord *Roos*, the Lord *Herbert* of *Cardiffe*, and divers other Noblemens Sons and Heirs.

Nota, That these foregoing passages, touching the solemn manner of her Majesties coming to the Upper House, are not at all found in the Original Journal-Book of the same, but are transcribed out of a written Copy or memorial of them, I had by me, as doth also the Lord Keepers Speech follow, out of the same, in the next place.

The Queens Majesty (being set (as afore said) under the Cloth of Estate) the House of Commons had notice thereof; and thereupon the Knights, Citizens and Burgessees of the same, repaired to the Upper House, and being, as many as conveniently could, let in, she Comanded Sir *Nicholas Bacon* the Lord Keeper, to open the cause of Calling and Assembling this Parliament, who thereupon spake, as followeth.

My Lords and others of this Honourable Assembly,

YOU shall understand, that my most Dread and Sovereign Lady the Queens Majesty, here present, hath Comanded me to declare the occasion of this Assembly, which I am not able (but unmeet) to do, as it ought to be done, among such a noble, wise and discreet Company. Howbeit, knowing the Experience of her Majesty, bearing with such as do their good wills, and your Honours Patience, in bearing with me in the like, afore this time; it encourageth me

the better herein, not doubting of the like at this present. Therefore my Lords, the occasion is, that necessary matters be provided for, propounded and scanned, and after agreed upon, and ended, which afterwards shall remain and continue; which matters in my Judgment, may well be divided into two parts, one touching Religion for the setting forth of Gods Honour and Glory, and the other concerning Policy, for the Common-Wealth, as well for provision at home, as to provide for the Foreign Enemy abroad: Which said matters of Religion, may again be divided into two parts; for Gods cause being sincerely weighed, considered and followed, bringeth forth good success in all Affairs, and being not followed, but neglected, and made light of, how can any thing prosper, or take good effect? And the greater the Personages be, which so abuse the same, the greater the fault is, to the damage of the whole Common-Wealth; for all mens Eyes be fixed on those who be in Authority; for as the Head is, even so is the Foot; and after the Superior followeth the Inferior. For as Gods Law it self is perfect, so there is no imperfection therein, but that which cometh of our selves, wherein I cannot excuse either the spirituality or laity. For as the Preachers be not so diligent in their Vocation of Preaching, as they ought to be, even so we of the Laity be neither so diligent in hearing, nor yet in doing as we should be. And thirdly, some of the Laity in not giving credit unto it, as it ought for to be. For as all in Authority ought to be credited, and their doings taken in the best part, yet I would with the same should continue no longer than they do well.

And where at this present there is great want of Ministers, and some of them that be, be much insufficient; which, considering the time, are to be born withal, not doubting the Circumspection of the Bishops, in well looking to the placing of such, which shall be appointed hereafter; and those which be, and will not be reformed, to have sharp punishment. For as heretofore the Discipline of the Church hath not been good, and again, that the Ministers thereof have been slothful, even so for want of the same hath sprung two Enormities; the first is, that for lack thereof, every man liveth as he will, without fear; And secondly, many Ceremonies agreed upon, but the right Ornaments thereof, are either left undone, or forgotten. As in one point, for want of Discipline it is that so few come to Service, and the Church so un replenished, notwithstanding that at the last Parliament, a Law was made, for good Order to be observed in the same; but yet as appeareth not Executed. Therefore if it be too easie, let it be made sharper, and if already well, then see it Executed. For the want of Discipline causeth obstinacy, contempt and growing of Heresie; therefore better to be winked at and unspoken, than bruted abroad and unperformed: Therefore, in mine opinion, the device is good, that in every Diocess

there be Officers appointed and devised, as hath been thought good, to sit for redress of these and such like Errors, twice or thrice a Year, till the faults be amended. In which well doing, the Head-Officers are to be born withal, and maintained; and Laws to be made for the purpose: the chief Care of which said former matters pertaineth to you, my Lords of the Spirituality, wherein you must take pains to travel, whereunto be Laws to be joined, not only for the more perfecting of the same, but for the maintenance, as well of the Heads, as the Ministers thereof.

Now to the second part, of Policy for the Common-Wealth; for as there be faults for want of Discipline, so are there faults in the imperfection, and want of Execution, which imperfection must be looked unto; and want of Laws which needeth to be provided for and made; and to consider, if there be not too many Laws for one thing, and those so large and buisie, that neither the Commons can understand the same, nor yet well the Lawyer, which would be brought into some briefer and better Order, and there Executed. For which purpose, it is necessary to take care, to have good Ministers thereof, and secondly, to banish all fearfulness for prosecuting the same; and over and besides, that to appoint proved men to inquire of these Ministers, whereby they may have the better regard to their Duty: For, even as the Visitation of the Church is and was well appointed for the Church, so now is the like to be appointed for the Temporality. For if the Laws be not well Executed, my part is not the least thereof, which Yearly I would be glad to hear of. The third for the Enemy, as well here bred amongst us, as abroad: for whereas the Queens Majesty at her entrance found this Realm in War with Foreign Power, at which time lack of Treasure, Artillery, Force and other things, caused her to agree to a Peace, although not the best, howbeit for our surety she spared no cost to bring it to pass; which notwithstanding, of later time, certain old cankered Enemies of this Realm, attempted to put in Execution to bring the Scots to the Governance of *France*, and so being a firm Land to ours, to have been our utter Enemies; which danger the Queen foreseeing, sought by all means, as well by her Ambassadors as others, to stay the Enterprize, but could not; and therefore helped her Neighbours of *Scotland*, and so disappointed that attempt; or else afore this time I doubt the Scottish Territories would have been too little to have holden them, but that they would have troubled us, not only at *Barwick*, but at the Walls of *Tork*; which said attempt, being by the means of her Majesty stayed and letted, the said bent Enemies have attempted the same in *France*, to the whole disturbance of all Christendom, and all done for the mischief of this Realm, (joined with a devilish Conspiracy within our selves, tending to the aiding of the Foreign Enemy, and by their

own Confession, to have raised a Rebellion in this Realm) And for that by none of her Graces Travels or means, she could there stay their Enterprise, or make them agree, she was forced the rather to stay the same, for the surety of this Realm, to the no little charge of her Majesty: for in these proceedings, and in repairing of these, and other like faults, I dare be bold to say (for that I am thereof assured) it hath cost her Majesty as much as two of the best Subsidies, which at any time hath been within this Realm; and all at her own proper Charges, without either straining of her Subjects, or having aid of them, towards the same. Howbeit she yet thinketh it well spent, for often it chanceth, that money is better spent than spared; as the common saying is, That a penny is well spent which afterwards saveth a pound. And so in this, if that money had not been so spent in staying in time their attempted Enterprises, it would afterwards have turned to no little prejudice, nor yet small Charge of this Realm. And where afore this time Princes commonly have had some vein or delight to spend Treasure upon for their pleasure, which the Queen hath none, but only for the Common-Wealth and surety thereof, so that we may most justly and fortunately say to her great Praise, that the relieving of the Realms necessities is our Princes whole delight: And notwithstanding all the disbursements of these her great Charges, yet she was (as I right well know) very hardly brought to, and perswaded to call this Parliament, in which she should be driven to require any aid, or by any means to charge her Subjects, if by any other means it might have been holpen: and so her Majesty her self Commanded to be declared. And I for my part, and so do others very well know; for the Commons little think or consider what a trouble want is to her, whereby she is forced to ask of them (which surely is against her nature) but that she is thereunto forced, for the surety of this Realm.

And for that the nether House cannot, being so many together, but of necessity must have one to be a Mouth, Aider or Instructor unto them, for the opening of matters, which is called the Speaker, Therefore go and Assemble your selves together and Elect one, a discreet, wise, and learned Man, to be your Speaker, and on *Friday* next the Queens Majesty appointeth to repair hither again, for to receive the Presentment of him accordingly.

The manner of her Majesties coming to the Upper House, with the Lord Keepers Speech, being supplied out of that written Copy or Anonymous Memorial, I had by me, as aforesaid, now follow the Names of the Receivers and Tryors of Petitions, out of the Original Journal-Book it self of the Upper House.

Then the Clerk of the Parliament read in French the Names of such, as should receive, hear, and try the Petitions for *England, France,*

Scotland, Ireland, Gascoigne and Guyen, &c. which were as followeth.

Receivers of Petitions for *England, Ireland d Wales and Scotland, viz.*

Sir *Robert Catlin*, Chief Justice of the Kings Bench; Sir *William Cordall*, Master of the Rolls; Sir *Anthony Browne*, Knight; Sir *Richard Read*, Knight; and Doctor *Huicke*; And such as will prefer any Petitions, are to deliver them in six days next ensuing.

Receivers of Petitions for *Gascoigne*, and other parts beyond the Seas, and the Isles, *viz.*

Sir *James Dyer* Knight, Chief Justice of the Common-Pleas; Sir *Edward Saunders* Knight, Chief Baron; Justice *Weston*, Mr *John Vaughan*, and Doctor *Tale*; And such as will prefer any Petitions, are to deliver the same within six days next ensuing.

Triors of Petitions for *England, Ireland, Wales and Scotland, viz.*

The Archbishop of *Canterbury*, Lord Marques of *Winchester*, Treasurer of *England*; the Duke of *Norfolk*, Earl Marshal of *England*; the Earl of *Arundel*, the Earl of *Rutland*, the Earl of *Bedford*, the Earl of *Pembroke*, the Bishop of *London*; the Bistop of *Durham*, the Bishop of *Salisbury*, the Lord *Clinton*, Admiral of *England*, the Lord *Rich*; all these together or four of the Prelates, and Lords, calling to them the Keeper of the Great Seal, and the Treasurer, and the Queens Serjeant, when need shall require, shall hold their places in the Chamberlains Chamber.

Triors of Petitions for *Gascoigne*, and other Countries and parts beyond the Sea; *viz.*

The Archbishop of *York*, the Marques of *Northampton*, the Earl of *Shrewsbury*, the Earl of *Huntingdon*, the Bishop of *Winchester*, the Bishop of *Worcester*, the Bishop of *Oxon*; the Lord *Howard*, the Lord Chamberlain, the Lord *Abergaveny*, the Lord *Wentworth*, the Lord *Wilmingtonby*, and the Lord *North*; all they together, or four of the Prelates and Lords aforesaid, calling to them the Queens Serjeant, Attorney, and Solicitor, when need shall require, shall hold their place in the Treasurers Chamber.

These Names of the Receivers and Tryors of Petitions foregoing, being thus transcribed out of the Original Journal-Book of the Upper House there should follow out of the same the Adjournment or Continuance of the Parliament, by the Queens Majesty, or the Lord Keeper by her Commandment; but the same being wholly omitted through the negligence of *Francis Spilman*, Clerk of the same, it is in part supplied out of that before-mentioned memorial Copy of this present days passages following.

Then the Lord Keeper Adjourned the Parliament till *Friday* next, and then the Queen returned to her Chamber, and shifted her, and so did all the Lords, and then waited on her to the Water side, where she took her Boat, and departed to *Whitehall* from whence she came, and they till *Friday* at their pleasures; upon which ensuing *Friday*, her Majesty came again to the
Upper

Upper House ; but the manner and form thereof being wholly omitted in the Original Journal-Book of the Upper House , and only found in the foresaid Anonymous Memorials I had by me, is therefore inserted out of the same, in manner and form following.

On *Friday* the 15th day of *Jan.* 1562. the Queens Majesty at her Privy-Stairs took Boat, and went by Water to the Parliament-House, about two of the Clock, the Lords and Heralds waiting on her to the Landing place, on the back side of the Parliament ; and so brought her to her Privy-Chamber, where she shifted her, and put on her Robes, and the Lords theirs, as the first day ; and then she repaired to her Seat, and the Lords to theirs, with their Serjeants and Gentlemen-Ushers ; before her the Lord Marquess of *Northampton*, bearing the Cap of Estate, the Duke of *Norfolk* the Rod of the Marshalsee, and the Earl of *Northumberland* the Sword ; the Lord *Robert Dudley*, Master of the Horse, and the Baron of *Hunsdon*, sustained her Mantle, from her Arms : And her Train was born by the Lord Chamberlain, Vice-Chamberlain, and Mr *Ashley*, Master of the Jewel-House ; and the Lord Keeper standing at the back of the Rail, on the right, and the Lord Treasurer on the left. And because this is the first Session of the Second Parliament of her Majesty, I thought it worth the labour to cause the presence of her Majesty, and the Lords spiritual and Temporal, to be inserted, directly according unto the Copy thereof in the Original Journal-Book of the Upper-House.

Die Veneris 15^{to} Januar. Domini tam Spirituales, quam Temporales, quorum nomina subsequuntur, presentes fuerunt.

Pr. Regina.

Pr. Archiepiscopus Cantuar.
Pr. Archiepiscopus Eboracen.
Pr. Episcopus London.
Pr. Episcopus Dunelmen.
Pr. Episcopus Winton.
Pr. Episcopus Ciceſtren.
Episcopus Landaph.
Pr. Episcopus Hereford.
Pr. Episcopus Elien.
Pr. Episcopus Wigorn.
Pr. Episcopus Bangoren.
Pr. Episcopus Lincoln.
Pr. Episcopus Sarum.
Pr. Episcopus Meneven.
Pr. Episcopus Roffen.
Pr. Episcopus Bathon. & Wellen.
Pr. Episcopus Coven. & Lichfeild.
Pr. Episcopus Exon.
Pr. Episcopus Norwicen.
Pr. Episcopus Petriburgen.
Episcopus Carliolen.
Pr. Episcopus Cestren.
Pr. Episcopus Aſſaven.
Pr. Episcopus Glouceſtren.

Nota, That this is the very express manner

and form, by which the presence of her Majesty, the Lord Keeper, and the Lords Spiritual and Temporal, is set down and marked out, upon this present *Friday*, being the first day of this her Highnesses Second Session of her Parliament ; and at the beginning of every Lords name that was present, are the Letters *Pr.* prefixed, by which it appeareth, and may certainly be concluded, that all they, before whose names those Letters are not set down, and entred, were then absent, which hath been the constant course of Recording such presence, in all the Original Journal-Books of the Upper House, both of former and latter times, which is so obvious to every mans curiosity, that will search, that it needs no further dilating.

Pr. Nicolaus Bacon Miles, Dominus & Custos magni Sigilli.

Pr. Marchio Winton. Thesaurarius Angliæ.

Pr. Dux Norfolkiz Comes Mareſchallus Angliæ.

Pr. Marchio Northampton.

Pr. Comes Arundell. Seneschallus Hospitii Dominae Reginae.

Pr. Comes Northumbrie.

Comes Westmoreland.

Pr. Comes Salop.

Pr. Comes Darbie.

Pr. Comes Wigorn.

Pr. Comes Rutland.

Comes Cumberland.

Comes Suffex.

Pr. Comes Huntington.

Comes Bathon.

Pr. Comes Bedford.

Pr. Comes Pembroke.

Pr. Vice-Comes Hereford.

Pr. Vice-Comes Mountague.

Vice-Comes Howard de Bindon.

In the next and second Rank after the Spiritual Lords, are the names of the Lord Keepers, and of all other Temporal Lords, entred above the degree of Barons, and the reason why the names of the Spiritual Lords are thus entred, before the Lord Keepers, and all other Temporal Lords, although divers of them enjoy likewise the great Offices of the Kingdom ; is not because they have all precedence of them, but either in respect that the Archbishop of *Canterbury* (when there is one) is the first Peer of the Realm, and so one of the rank with whom they sit in the Upper House, and therefore ought to be ranked with him, or else in respect of their Ecclesiastical Dignities, which are preferred before the Temporal, as the Church is before the Commonwealth.

Pr. Dominus Clinton Admirallus Angliæ.

Pr. Dominus Howard de Effingham Camerarius Dominae Reginae.

Pr. Dominus Burgavenny.

Dominus Audley.

Pr. Dominus Strange.

Dominus Zouch.

Pr. Dominus Barkeley.

Pr. Dominus Morley.

Pr.

Pr. Dominus *Dacres*.
 Pr. Dominus *Dacres de Gilleflawd*.
 Pr. Dominus *Cobham*.
 Dominus *Stafford*.
 Dominus *Grey de Wilton*.
 Pr. Dominus *Scroope*.
 Dominus *Dudley*.
 Pr. Dominus *Lumley*.
 Dominus *Montery*.
 Dominus *Ogle*.
 Pr. Dominus *Darcie*.
 Pr. Dominus *Mountegle*.
 Dominus *Sandes*.
 Pr. Dominus *Vauxe*.
 Pr. Dominus *Windfor*.
 Pr. Dominus *Wentworth*.
 Pr. Dominus *Mordant*.
 Pr. Dominus *St. John*.
 Pr. Dominus *Cromwell*.
 Pr. Dominus *Evers*.
 Dominus *Wharton*.
 Dominus *Riche*.
 Pr. Dominus *Willoughby*.
 Pr. Dominus *Sheffield*.
 Dominus *Pagett*.
 Pr. Dominus *Darcie de Chiche*.
 Dominus *North*.
 Pr. Dominus *Chandos*.
 Pr. Dominus *Haistings de Loughborough*.
 Pr. Dominus *Cary de Hunsdon*.
 Pr. Dominus *St. John de Bletsoe*.

In this third and last rank are placed the Barons names, of which the two first precede, in respect of their Offices, the rest follow according to their several rights.

The presence of the Lords being thus transcribed out of the Original Journal-Book of the Upper House, there is nothing worthy the further observation therein, but only that the Abbot of *Westminster*, who sat all the last Parliament, is not here at all mentioned, and the reason was, because himself, with five other Abbots and Abbesses, and many other of the Popish Clergy, were deprived of their Ecclesiastical Promotions, in *An. Dom. 1559.* at the end of the last Parliament. And now in the next place follows the manner of the Presentment of the Speaker, with his several Speeches, and the Lord Keepers Answers at large, out of a Memorial thereof I had by me, which I conceive for the most part to be the very Autograph, or Original Copy thereof, taken by the hand of some industrious Member of one of the Houses, or at least some other Hearer, at this time present in the Upper House: It being set down in a hand at that time, and full of interlinings and amendments.

The Queens Majesty being set under her Cloth of Estate, and the Lords having placed themselves according to their several Ranks, in their Parliament Robes, the Knights, Citizens and Burgesses of the House of Commons had notice thereof, and thereupon repairing to the Upper House, with *Thomas Williams Esq;* their Speaker Elect, were (as many of them as conveniently

could) let in; and the Speaker was led up unto the Bar or Rail, at the lower end of the said House, between Sir *Edward Rogers* Knight, Comptroller of her Majesties Household, and Sir *William Cecill* Knight, her said Majesties Principal Secretary; all of them making, in their proceeding up thither, three Obeysances; and the said Speaker, being placed there, after he had made three other like Obeysances, began as followeth.

Right Excellent and most Vertuous Prince, our Renowned and Dread Sovereign Lady, on *Tuesday* last it pleased your Highness by the Mouth of the Right Honourable, the Lord Keeper of the Great Seal, for the more ease of the nether House of this Parliament, to Command them to go and Assemble themselves, and to Elect one, being wise, discreet and learned, to be their Speaker; who after a Consultation had (with one Voice) did Elect me, being indeed insufficient, as by, and for divers Causes I did then to them declare; Howbeit, whether it were that they, being so many wise men together, at the Electing of me, and therefore would not seem to speak against their own Election, or for what other cause I know not, but they refused my denial, and stood to their said Choice, and now present me here, to be at your Graces Appointment: I therefore, knowing my own imbecillity, and yet not arrogantly refusing the same; as one amongst the Romans chosen from the Plough to a place of Estimation, and after to the Plough again; even so, I a Countryman, fit for the same, and not for this place, most humbly desire your Majesty, to discharge me hereof, and to appoint some other more able; and I, as I am bounden, will not only pray for your Highness, but also serve your Highness, and my Country, to my power, in the place of a Citizen, whereunto first I was Elect and appointed.

Then the Queen Called the Lord Keeper to her, declaring to him her Opinion, for the Answering of him; whereupon he returned to his place, and Answered as followeth.

Mr Williams, The Queens Majesty hath well heard and pondered your Speech, and doth well perceive your modest and humble manner, in the disabling your self to that place, whereunto her well-beloved Subjects have Electd and Chosen you, and now accordingly presented you, and hath also heard your Suit for discharge of the said Room; and for Answer, she hath Commanded me to declare unto you, that she commendeth well your modest and humble manner, in so disabling your self, knowing that Judgment appertaineth to the Caller, and not to the party Called; And, forasmuch as her Majesty is credibly informed, as well of your knowledge and experience in other Parliaments, as in other great and weighty matters, she thinketh now therefore,

fore, she cannot disable you, without some peril to the Realm; and the rather, for that the wise Knights, Citizens and Burgeſſes have nominated and Chosen you, she cannot grant your Petition; And besides, that your modest Order in disabling your self, doth right well declare your ability to furnish the place; for which cause she doth allow this Election, and Presentation made of you; not doubting your care to be such, but that the good Opinion her Majesty and the Burgeſſes have of you, shall be augmented and increased, and the Burgeſſes not to repent their Election. Therefore your Office is to take it upon you.

Whereunto the Speaker Answered as followeth.

Most Honourable,

ALthough afore this time, the place hath been furnished with Orators, and therefore their matter entreated of worthily called an Oration; yet Inow, void of any such knowledge, require that name may be left, and that it might bear the name of an Epistle with a Request. And for the better understanding thereof, I will divide the matter into three parts; one for time past, and the second, time present, and the third, time to come. But fearing to fall between two Mountains, as to be counted either ungrate, or dissembling, I know not what to say; but yet seeing Savage Beasts forget not them who do well unto them, as appeareth by the story of a Lyon, out of whose foot a certain Man took a Thorn, which said person, being afterwards cast to the same Lyon to be devoured, the Lyon not forgetting, but remembring the former kindness shewed unto him, would not devour him, but ever after followed the same Man; even so, without too much ingratitude, can I not let pass your Majesties manifold benefits extended upon us; which although worthily to be declared, they pass my Capacity now to express, yet think it Blasphemy to suffer it clean to be untouched, and therefore in some part will put in remembrance the same; which I will divide into two parts; the one spiritual, the other temporal. For the first, When God planted your Highness in this place, you found it not so furnished with Treasure, as other your Predecessors have, although, if you had, yet occasions enough to employ it; which notwithstanding, you did not take the extremity of Penal Statutes, and other forfeitures, due unto you, but pardoned all such, as in time convenient required it. Also your Majesty did vouchsafe to take upon you the Charge of both the States, as well Spiritual as Temporal, and so purged this Church of all ill Service, and placed therein Service to Gods Honour: Further, what great Plague and Dearth happened by ill money this twenty Years last past, which within one Year is brought to good again, with little loss of your Subjects? Your Majesty prevented also, as well the Attempt in Scotland, made by your Common Enemy there,

as now of late again in France; which otherwise, if it had not been foreseen, would have turned to the no little peril, and loss of this your Realm, and Subjects thereof. Also your Highness hath been Author of good Laws, as appeareth by those made, both at the last Parliament, and by your other Proclamations since. Further, finding this Realm at your Entrance in Wars, you brought it in Peace: All which former Proceedings have been a great Charge unto your Majesty, which although the Revenues of the Crown be small, yet hath it hitherto only been done of your own Charge, as the last day by the Lord Keeper it was declared. And, for the last part and principal point of all other, your Highness hath brought and restored again Gods Doctrine into this Realm; for which your humble Subjects most heartily give thanks to God, and you, by the Mouth of me, their appointed Speaker.

For the second point, being time present; your Majesty is the Head, and the Body the Spirituality and the Temporality, which Body is to be divided into three Estates, The Lords Spiritual, and the Lords Temporal, and the Commons, whose Mouth I am; which by no means can prosper, the one without the other: for as any Estate divided cannot well continue, so in this; and therefore say, *Noſce teipſum*, not minding to speak these words only to your Highness, but to the whole Body; for although the Head may lack a Member of the Body, and yet continue; yet so the Member cannot want the Head, nor yet the Head the whole Body, but the want of the one of these last two shall be the ruine of the other; and therefore of necessity, for the sure preservation of the whole, it behoveth them firmly to join together; for though your Highness be the Head, and therefore the chief care pertaineth to you, yet your Majesty cannot thoroughly redress the same, without knowledge of the faults, nor yet well understand the whole State, except the other parts of the Body join with you, and put to their helping hands. I find in divers Histories great Commodities grow to Princes, by searching out, not only the wants of their Subjects, but knowledge of their talk; whereby they better both understand their own faults, and the Flatterers they have about them; which Order the wise and prudent *Marcus Aurelius* used, and long time Reigned Honourably. The noble Conqueror *Alexander*, in the beginning of his Reign, used the same; but leaving that Order, and having no regard to his living, was destroyed; which like Example was seen by that notable and Valiant Warriour *Julius Caesar*. And being encouraged by these like Examples, and others, to enter into some abuses used in this Realm, I will only speak of three, being all three notable Monsters, Necessity, Ignorance and Error. Necessity is grown amongst our selves, so that no Man is contented with his Degree, though he hath never so much; but where she is (as the Proverb saith) she hath no Law; for how
now

now be all Schools, Benefices, and other like Rooms furnished, and yet those for Schools so few, that I dare say a hundred Schools want in *England*, which before this time have been. And if in every School there had been but an hundred Scholars, yet that had been ten thousand; so that now I doubt whether there be so many learned men in *England*, as the number wants of these Scholars.

The second Monster is her Daughter Ignorance; for want of ten thousand Scholars, which these Schools were the bringers up of, and want of good School-masters, bringeth Ignorance; but the occasion of these two Monsters, is for want of Livings and Preferments; for Covetousness hath gotten the Livings, as by Impropriations, which is a decay of Learning. For by it the Tree of knowledge groweth downwards, and not upwards, as it was first meant, and made for; and groweth thereby greatly to the dishonour both of God and this Commonwealth. The Universities are decayed, and great Market Towns, and others without either School or Preacher; for the poor Vicar hath but only twenty pound, and the rest, being no small sum, is Improprate; and so thereby no Preacher there, but the people being trained up and led in Blindness, for want of instructions, become obstinate. And therefore to see to it, and that Impropriations may be redressed, notwithstanding the Laws already made.

The third Monster is Error, a Serpent with many Heads, many evil opinions, and much evil Life, as Pelagians, Libertines, Papists, and such others, leaving Gods Commandments, to follow their own Traditions, affections and minds. But if the Papist be, as indeed he is, in error, let us seek the redress thereof; for that the poor and ignorant be thereby abused. Until which redress be had, you nor your Realm, neither at home nor abroad, shall ever be well served of such people, which be so divided; and therefore speedily look to it, and weed out this wickedness and error within these our days, which is too much known now adays; for if your Godly Proclamations were not so soon forgotten, they would be amended. In the Country I heard tell, but since I came hither, walking in the streets, I have heard oftentimes more Oaths than words, a pitiful hearing! for if the Egyptians, by whose Laws the people lost their hands, and amongst the Barbarians lost their Lives, for swearing, and especially if it were a lie; if it were so punished amongst them, being Infidels, what, shall there be no punishment amongst us being Christians? Is truth further from us professing the name of Christ, and being Christians, than from them being Infidels? But even as *Tantalus* was Plagued, so are we; for although he had Apples even hanging at his Mouth, yet could he not eat any of them, and having a River of Water even as it were running by his Lips, yet could he not drink, but died for hunger and thirst: even so are we Plagued; for having Gods word, and his

name even in our Mouths, yet we live as Infidels, or as them that are furthest from the same, and so having enough, there is scarcity. And that we may avoid this Blasphemy, and the other Monsters, your humble Subjects desire your Highness to see to the lamentable Estate of this Commonwealth, and the redress of the same.

Having perused times past, and times present, let us go to, and well remember the time to come. For *Cato* saith, A thing well begun shall be well ended; so then followeth of a good beginning a good ending. For that Noble Captain *Hannibal*, environed with his Enemies, in a strange Country, sounded his Trumpet to Council, and thereby prospered. So your Majesty hath now called the Prelates, Nobles and Commons to Council for surety of the Realm. We now so therefore Assembled, as diligent in our Calling, have thought good to move your Majesty with the assent of this Assembly, to build a strong Fort for the surety of the Realm, to the repulsing of your Enemies abroad, which must be set upon firm ground, and steadfast, having two Gates, one commonly open, the other as a Postern, with two Watchmen at either of them, one Governor, one Lieutenant, four Souldiers, and no good thing there wanting. The same to be named The fear of God; the Governor thereof to be God, your Majesty the Lieutenant, the Stones the Heart of faithful People, the two Watchmen at the open Gate, to be called Knowledge and Virtue, the other two at the Postern to be called Mercy and Truth; all being Spiritual Ministers.

This Fort is Invincible, if every man will fear God; for all Governours Reign and Govern by the two Watchmen, Knowledge and Vertue; and if you, being the Lieutenant, see Justice with Prudence her Sister executed, you shall then rightly use the Office of a Lieutenant; and for such as depart out of this Fort, let them be let out at the Postern by the two Watchmen, Mercy and Truth; and then you shall be well at home and abroad. The Charge of this Fort is yours, being Lieutenant. By Justice your place is settled, whereunto Obedience ought to be taught and done; which your Majesty ought to look to. And so now the fear of God to be a sure Fort, the Subjects Hearts the Stones, Knowledge, Virtue, Mercy and Truth, the four Watchmen, God the Governor, and your Majesty the Lieutenant, is well proved. Therefore to build upon this Fort, the fear of God, is nothing lacking to a happy Life; for by God are all Princes appointed. Who put down *Saul*? Who made *David* King, who sought only Gods Glory and so prospered? as did *Josaphat*, *Josias* and *Hezekias*, and also *Abas*, as long as they sought Gods Glory, prospered; but forgetting God, were overthrown: Therefore first of all, and continually vouchsafe to seek Gods Glory, and his true Honour, and then you shall have this Fort well built, and by you well Governed.

Further I am to be a Suitor to your Majesty,

that when matters of importance shall arise, whereupon it shall be necessary to have your Highness Opinion, that then I may have free access unto you for the same; and the like to the Lords of the Upper House.

Secondly, That in repairing from the nether House to your Majesty, or the Lords of the Upper House, to declare their meanings, and I mistaking on uttering the same contrary to their meaning, that then my fault or imbecillity in declaring thereof be not prejudicial to the House, but that I may again repair to them, the better to understand their meanings, and so they to reform the same.

Thirdly, That the Assembly of the Lower House, may have frank and free Liberties to speak their Minds, without any Controulment, Blame, Grudge, Menaces or Displeasure, according to the old antient Order.

Finally, That the old Priviledge of the House be observed, which is, that they and theirs might be at Liberty, frank and free, without Arrest, molestation, trouble or other damage to their Bodies, Lands, Goods or Servants, with all other their Liberties, during the time of the said Parliament; whereby they may the better attend, and do their Duty; all which Priviledges I desire may be Inrolled, as at other times it hath been accustomed.

And thus having been tedious unto you with my Speech, void of Eloquence, I crave your Pardon, and desire your Majesty to accept of my Heart, and good Will, as well at this time as after, and I will pray as I am bounden, for your Honour long to Reign over us.

Then the Queen called the Lord Keeper, declaring her Opinion for Answering him, which he did as followeth.

Mr Speaker, The Queens Majesty hath heard and very well weighed your Eloquent Oration, which you in the beginning required might not be so called, but that it might bear the name of an Epistle, with a Request, full of good meaning, and good matters, gathered, divided and set; which you divided, as I gather, into four parts. Three by you applied unto three times, past, present, and to come; and the fourth for your Petitions.

For times past, being the first, you opened the benefits received by us all from the Queens Majesty, since her entrance to the Crown, which you divided into two, the one Spiritual, and the other Temporal, and so in some part related the same; and thus passed with times past.

The second part for time present; after you had therein declared many notable Examples of Princes, which searched privily to understand the Commons talk and Opinion, and the benefit thereof arising, you declared to be in this Common-Wealth three Notable Monsters, *viz.* Necessity, Ignorance and Error, which to redress, you desired the Princes Aid.

And in the third part for time to come, you

declared how the Queens Majesty and this Parliament in your Opinion, by building a Fort, named the fear of God, might take Order and live surely in time to come.

And in the fourth part, made four Petitions, the first for free access to her Person, and Upper House, the second for well taking your meaning, and the third and fourth for free Liberty of Speech and Persons.

Now for the Answering of them, her Majesty hath Commanded me to say, That for the first part she commendeth much those Godly Virtues that you opened to be in her, and also those beautiful budding benefits which you declared to come from her, and doubteth not the rather by this your remembring of them, but they shall be on her part hereafter performed, for which she thanketh you, thinking all things well bestowed, when they are well remembered.

In the second part you declare certain Monsters, which trouble this Region, and would be redressed; the Remedy whereof you declared in your third part, wherein she desireth you to travel for the bringing of it to pass.

And for the fourth part, being your Petitions, which be also four; for the first being for free access to her Person, she granteth it, not doubting of your discretion to use it, as rath as may be, not out of time, nor yet without they be matters of great importance.

For the second, that if you mistake their meanings, that they may notwithstanding redress the same, without prejudice to them; this also she granteth, although unneedful, for that she trusteth you will not offend therein; And for the third, to have free Speech she granteth also, so that it be reverently used.

And to the last point, for them and theirs to be free, without disturbance, she is pleased therewith; howbeit great regard would be therein had, not thereby to avoid or delay their Creditors, but to be well used, according to the meaning of the first grant thereof.

Now a word or two more, I would advise you, to make your Laws as few, and as plain as may be, for many be burthenous, and doubtful to understand; and so accordingly to make them as brief, as the matter will suffer; and thirdly, that you proceed to the great and weighty matters first, and then to others of smaller importance, and that so speedily as can be, whereby this Assembly may be again at their Liberties, and so end.

Then the Speaker and nether House did their Reverence, and departed, and the Queen returned into her Privy-Chamber, and shifted her, and the Lords likewise, and then she repaired to her Barge, and so to *Whitehall*, unto which place the Sword was born; the Officers of Arms waited to and fro.

On Monday the 18th day of January, three Bills of no great moment, had each of them one reading,

reading, of which the last, being the Bill for the punishment of Clipping, and washing of the Queens Majesties Coin, and other Moneys Current within the Realm, was read the first time.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem crastinum hora Nona.

On Tuesday the 19th day of January, four Bills had each of them one reading; of which the first being for the good Order and Government of the Garrison of *Barwick*, was read *secunda vice*, & *commissa ad ingrossand.* and the second, being the Bill for punishment of Clipping and washing of the Queens Majesties Coin, was read *tertia vice*, & *commissa Archiepiscopo Ebor., Duci Norfolkæ, Marchion. Northampton, Episcopo Hereford, Domino Wentworth, Domino Willoughby & Domino Hastings de Loughborough.*

On Wednesday the 20th day of January, the Bill touching the Government of the Garrison of *Barwick*, was read *tertia vice & conclus.* and sent to the House of Commons by Serjeant *Carns*, and the Queens Attorney.

On Thursday the 21th day of January, two Bills had each of them one reading; of which one was the Bill to repeal a Branch of a Statute, made *Anno primo Edwardi 6^{ti}*, touching the Conveying of Horfes out of the Realm, and being read *tertia vice*, was concluded, and sent down to the House of Commons.

On Saturday the 23th day of January, the Lords Spiritual and Temporal Assembled, but nothing was done, save only the Parliament continued by the Lord Keeper, in usual Form, *usq; in diem Martis prox. hora nona.*

On Tuesday the 26th day of January, the Bill for fulling and thicking of Caps, was read *prima vice*, & *commissa* to the Earl of Shrewsbury, the Earl of Rutland, the Earl of Bedford, the Bishop of Winchester, the Bishop of Exeter, the Lord Wentworth, the Lord Willoughby, and the Lord Shandois; And the Bill also against forging of Evidences and Writings, was upon the first reading, Committed to the Archbishop of York, the Duke of Norfolk, the Marquess of Northampton, the Earl of Rutland, the Earl of Huntington, the Bishop of London, the Bishop of Durham, the Bishop of Winchester, the Lord Clinton, the Lord Wentworth, the Lord Rich, the Lord Willoughby, the Lord Hastings of Loughborough, the Lord Chief Justice of the Kings Bench, the Lord Chief Baron of the Exchequer, and the Queens Solicitor.

Nota, That this last mentioned Bill, touching the forging of Evidences, &c. was not only committed upon the first reading, which is not usual till after the second, but committed also to the Judges, being but Assistants of the Upper House, and to the Queens Solicitor, being but a meer Attendant upon the same, jointly with the Lords, the only proper and undoubted Members of that great Council; which is to be observed, because of latter days, neither the said Assistants, nor Attendants, are ever appointed joint Commit-

tees with the Lords, as here, but only Commanded by the House to attend upon the Committee, and thereby to give such advice as shall be required of them; which is no greater respect yielded them at a Committee, than in the House it self, sitting the Parliament; and were they still admitted to be Committees, as they usually were in all these first Parliaments of the Queen, yet could no inconvenience ensue thereby, because at a Committee things are only prepared, and made ready for the House, in which and no where else they ought to be concluded and expedited.

The Bill lastly for Repeal of a Statute made *an. 1 Ed. 6.* touching conveying of Horfes out of the Realm, was concluded, and sent down to the House of Commons.

Here the House was doubtless continued until Thursday next, the 28th day of this Instant January, because this being *Hillary* Term, the ensuing Wednesday being the 27th day of the same Month, was Star-Chamber day, on which the House seldom sits; and this may be observed very usual, not only in this Journal, but in the Original Journal-Books of the Upper-House of all her Majesties time, in whose Reign the Star-Chamber-Days were first certainly appointed to be on *Wednesdays* and *Fridays*.

True it is, that in former times, when Star-Chamber-Days were uncertain, then it is hard to guess when the House sat not by reason of them, and there seemeth to be but one direct President of it, which is entred in the Original Journal-Book, *de An. xxv. Henr. 8. die Mercurii, 4 die Februarii*, in these words, *viz. Hodie Dominus Cancellarius, eo quod die crastino Domini circa ardua negotia in Camera Stellata consultaturi, & Domini spirituales die Veneris in convocatione conversi fuerint, ex consensu totius Domus continuavit hoc præsens Parliamentum in diem Sabbati horâ consuetâ.* By which President also it may be plainly collected, that the House did sometimes forbear sitting on Convocation Days, when the Lords Spiritual were absent; Of which also there is another President in the Original Journal-Book of the Upper-House, *de an. 7 Hen. 8. die 30 Novembris*, where it is thus entred; *Dominus Cancellarius, propterea quod Domini spirituales in Convocatione crastino die occupandi sunt, continuavit præsens Parliamentum usq; ad diem Lunæ.* But notwithstanding these Presidents, it is plain, that the other Lords may sit, if they please, on Convocation days, or Star-Chamber-Days; For as touching the first, it is plain by the Original Journal-Book, *de an. 1 Hen. 8.* that the Temporal Lords sat every Convocation Day, though they did no other business than receive Bills from the Commons; And for the second, there is an Excellent President, *tempore Jacobi Regis*, to prove, that the Lords of the Upper-House are not bound to observe Star-Chamber-Days (though usually they do) for it appears plainly by the Original Journal-Book, *de an. 18 Regis ejusdem, die Martis, 24 die Aprilis*, that upon a motion made that day unto the House, that

there was a great Cause in the midst of hearing to be heard in the Star-Chamber the day following being *Wednesday*, the Lords were contented to forbear sitting that day, but withal it was provided that it should not be drawn into a President, but that the House (being the supreme Court) may sit upon any Star-Chamber day, notwithstanding the absence of such Lords, as do use to attend that Court: And accordingly the House was Adjourned unto the next day, being *Wednesday*, in the Afternoon. And the next Star-Chamber Day, being *Friday*, the 26th day of *April*, the House did sit both in the Forenoon, and in the Afternoon.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Jovis prox. hora nona.

On *Thursday* the 28th day of *January*, the Lords Spiritual and Temporal Assembled, but nothing was done, save only the Parliament continued in usual Form, *usq; in diem Sabbati hora nona.*

On *Saturday* the 30th day of *January*, the Bill for Assurance of certain Lands assumed by the Queens Majesty, during the Vacation of Bishoppicks, was read *secunda vice* (although not mentioned through the negligence of the Clerk) & commissa Archiepiscopo Eboracen. Duci Norfolciæ, Marchion. Northampton, Comiti Salop. Comiti Derby, Comiti Rutland, Comiti Huntington, Comiti Bedford, Comiti Pembroke, Episcopis London, Duxelm. Winton. Hereford, Elien. Domino Clinton Admirallo, Domino Howard de Effingham Camerario, Domino Dacres de Gillestand, Domino Lumley, Domino Rich, Domino Willoughby, Domino Haskings de Loughborough, & Domino Hunsden, ac duobus primariis Justiciariis & Primario Baroni Scaccarii.

Nota, That here the Judges, who are but Assistants unto the Upper House, are made joint Committees with the Lords; see also a like President on *Tuesday* the 26th day of this Instant *January* foregoing.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Lune prox. hora nona.

On *Monday* the first day of *February*, the Lords Spiritual and Temporal Assembled, but nothing was done, save only the Parliament continued in usual Form, *usq; in diem Mercurii prox. hora nona.*

On *Wednesday* the 3^d of *February*, the Lords also Assembled, but nothing was done, save only the Parliament continued by the Lord Keeper, *usq; ad diem Sabbati prox. hora nona.*

On *Saturday* the 6th day of *February* (to which day the Parliament had been on *Wednesday* last continued) a Bill against forging of Evidences and Writings, was read the first time.

On *Monday* the 8th day of *February*, the Bill against forging of false Deeds and Writings, was read the second time, & commissa ad ingrossand.

On *Tuesday* the 9th of *February*, the Bill touching Pewterers, was read the first time.

Dominus Custos magni Sigilli continuavit præsens

Parliamentum usq; in diem Jovis prox. hora nona.

On *Thursday* the 11th day of *February*, the Bill against forging of false Deeds and Writings, was read *tertia vice*, & conclusa, and sent down to the House of Commons by the Queens Attorney and Solicitor.

On *Monday* the 15th day of *February* (to which day the Parliament had been on *Thursday* last continued) The Bill touching Fines to be levied in the County Palatine of *Durham*, The Bill against carrying over Sea of Sheep Skins and Pelts, not being Staple Ware, And the Bill to revive certain Statutes Repealed for Servants robbing their Masters, the punishment of the Vice of Buggery, against fond and phantastical Prophecies, and for the punishment of Invocation of evil Spirits, Inchantments, Witchcrafts and Sorceries, were brought from the House of Commons, and each of them read *prima vice*.

Two Bills also had each of them their first and second reading, of which the latter, being the Bill for the Restitution in Blood of *Thomas Brooke, William Cromer, and Cutbert Vaughan*, and others, commissa fuit Domino primario Justiciario Com. Placitor.

On *Tuesday* the 16th day of *February*, the Bill for Restitution in Blood of *Anne Thomas*; The Bill for Restitution in Blood of the Heirs of *Thomas Isely*; And the Bill for Restitution in Blood of *Thomas Diggs*, were each of them read *prima*, *secunda* & *tertiâ vice*, & conclusa. and were, with two others, sent down to the House of Commons, by Serjeant Carus and the Queens Attorney.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Crastinum hora nona.

On *Wednesday* the 17th day of *February*, the Lords Spiritual and Temporal Assembled, but nothing was done, save only the Parliament continued by the Lord Keeper in usual Form, *usq; in diem crastinum hora nona.*

On *Thursday* the 18th day of *February*, the Bill touching Fines to be levied within the County Palatine of *Durham*, and the Bill against carrying of Sheep Skins and Pelts over the Seas, not being Staple Wares, were each of them read *tertia vice* & conclusa.

On *Saturday* the 20th day of *February* (to which day the Parliament had been on *Thursday* last continued) Three Bills were brought up to the Lords from the House of Commons, of which the first being the Bill of one Subsidy and two Fifteens and Tenths, granted by the Temporalty, was read the first time.

The Bill for Assurance of certain Lands to *Sir Francis Jobson*, was read the first time, whereupon the Lords took Order that the Learned Counsel, as well of the said *Francis*, as of the Bishop of *Durham*, whom it concerned, should on *Saturday* then next following be heard, what could on either side be said in furtherance or disallowance of the same.

The Bill also for the Assurance of the Queens Majesties

Majesties Royal Power, over all States and Subjects within her Dominions, was brought up to the Lords from the House of Commons.

On Monday the 22th day of February, two Bills had each of them one reading; of which the first being the Bill of one Subsidy and two Fifteens and Tenths, granted by the Temporality, was *secunda vice lect.* but no mention is made, that it was either Ordered to be ingrossed, or referr'd to Committees, because it had been formerly sent up to the Lords from the House of Commons.

On Tuesday the 23th day of February, the Bill of one Subsidy and two Fifteens and Tenths, granted by the Temporality, was read *tertiâ vice & communi omnium Procerum assensu conclus.* and sent to the House of Commons by Serjeant Carus, and Doctor Huicke.

Nota, That this Bill of Subsidy, after it had passed the Upper House, was not by them altered or amended in any thing, but only sent back again unto the House of Commons, to whom it did most properly belong, and is on the last day of the Parliament, or Session of Parliament, to be brought up by the Speaker of the said House, as it was at this time on Saturday the 10th day of April ensuing, and presented unto her Majesty by Thomas Williams Esq; Prolocutor of the said House, at this present Session, before she gave her Royal Assent to such Acts as passed.

On Thursday the 25th day of February, the Bill for the Assurance of the Queens Majesties Royal Power over all States and Subjects within her Dominions, was read the first time.

On Saturday the 27th day of February, the Bill for Restitution in Blood of the Children of Thomas Cranmer, late Archbishop of Canterbury, and the Bill declaring the Authority of the Lord Keeper of the Great Seal of England, and the Lord Chancellor, to be one, were each of them read *prima vice*.

Eight Bills were brought up to the Lords from the House of Commons, of which the first, being the Bill of one Subsidy and two Fifteens and Tenths, granted by the Temporality, and the second against carrying over Sheepskins and Pelts over the Seas, not being Staple Ware, were each of them returned *conclus.*

This day, according to the Order formerly taken, Sir Francis Jobson, with his Counsel, came before the Lords, and by them declared. And no more is set down in the Original Journal-Book of the Upper House; and by the negligence of the Clerk the matter is so left abruptly; but it doth plainly appear, that it was touching the Assurance of certain Lands, which concerned the Bishop of Durham, *ut videas*, on Saturday the 20th of this Instant February foregoing.

On Monday the first day of March, two Bills of no great moment, had each of them one reading; of which the second being the Bill for the Restitution in Blood of the Sons and Daughters of the late Lord Hussy, was read *prima vice*.

A Proviso to be annex'd to the Bill for the Assurance of the Queens Majesties Royal Power over all Estates and Subjects, within her Dominions, was read *primâ & secunda vice, & commissa ad ingrossand.*

On Tuesday the 2^d day of March, Ten Bills of no great moment, had each of them one reading; of which the first, being the Bill for the Confirmation of a Subsidy, granted by the Province of Canterbury, and the second against such as sell Wares for Apparel without ready money, to persons under two hundred pound Lands or Fees, were each of them read *prima vice*.

The Bill also for Restitution in Blood of the Children of Thomas Cranmer late Archbishop of Canterbury, was read *secunda & tertia vice & conclus.*; and was (with the Bill for the Children of the Lord Hussy, which had likewise this day passed the House upon the third reading) sent to the House of Commons by Sir Richard Read and Serjeant Carus.

On Wednesday the 3^d day of March, Three Bills had each of them one reading, of which the last, being the Bill for the Assurance of the Queens Majesties Royal Power, over all States and Subjects, within her Dominions, was read *tertia vice*, with certain Provisions thereunto annexed by the Lords, which were thrice severally read, & *conclus.*

A Proviso annexed by the House of Commons to the Bill against forging of false Deeds, was read *prima, secunda & tertia vice, & commissa Domino Rich, Domino Willoughby, Primario Justiciario Banci Regii, & Justiciario Browne; Quod Nota,* Because no Bill or Proviso is usually committed after the third reading.

On Thursday the 4th day of March, The Bill for the Restitution in Blood of Sir Ralph Chamberlain Knight, and John Haleston Esq; The Bill against such as sell Wares for Apparel without ready money, to persons under two hundred pound Lands or Fees; The Bill for the punishments of Vagabonds, calling themselves Egyptians, And the Bill for uniting of Churches within the City of Winchester, were each of them read *secunda vice*: but no mention is made, that they were either Ordered to be ingrossed, or referred to Committees, because they had been formerly sent from the Lords.

The Bill also for Restitution in Blood of William West, and the Bill for the Town of Southampton, were each of them read the first time, and thereupon committed to Justice Southcote, Serjeant Carus and the Queens Attorney.

Nota, That these two Bills last mentioned were not only committed after the first reading (which is not usual till the second) but also committed to meer Assistants, which are not Members of the House, and therefore in both respects the President is more rare and remarkable; *vide consimile*, on Tuesday the 26th day of Jan. foregoing.

On Saturday the 6th day of March, The Bill for the Subsidy of the Clergy, And the Bill for the Restitution

Restitution in Blood of Edward Turner, were each of them read *tertiâ vice*, & *conclus.* & *commis. Servienti Carus*, & Ricardo Read in *Domum Communem deferend.*

Three Bills were brought up to the Lords from the House of Commons; of which the first was the Bill for avoiding of divers Foreign Wares, made by Handy-crafts-men beyond the Seas; and the second touching Badgers of Corn and Drovers of Cattle to be Licens'd.

Three Bills lastly of no great moment, had each of them one reading; of which the first being the Bill for the further punishment of Vagabonds, calling themselves Egyptians, was read *tertiâ vice*, & *conclusa*, *dissentiente Comite Arundel.*

On Monday the 8th day of March, Six Bills of no great moment, had each of them one reading; of which the third, being the Bill against such as shall sell any Wares for Apparel without ready money, &c. The Bill declaring the Authority of the Lord Keeper of the Great Seal of England, and the Lord Chancellor to be all one, And the Bill touching the true fulling and thickening of Caps, were each of them read the third time, and concluded: *Et unâ cum aliâ Billa*, For the making Denizens of certain Children born beyond the Seas, *commisæ sunt Attorn. Dom. Reginae*, & *Doctori Huick in Dom. Communem deferend.*

Three Bills were brought up to the Lords from the House of Commons, of which the first, being the Bill against such as shall sell any Wares for Apparel without ready money, to persons under three thousand pound Lands or Fees, was returned *conclus.* And the last was the Bill that the Hospital Church of St. Katherine, near the Tower of London, shall be a Parish Church, and for the erecting of a School.

Two Bills lastly of no great moment, had each of them one reading; of which the second being the Bill against Inchantments, Sorceries and Witchcraft, was read the first time.

On Tuesday the 9th day of March, Nine Bills had each of them one reading, of which the first being the Bill for the Restitution in Blood of Sir Peter Carew Knight, And the second against Inchantments, Sorceries, Witchcrafts, &c. were each of them read the second time, but no mention is made that they were either Ordered to be engrossed, or referr'd to Committees, because they had been formerly sent to the Lords from the House of Commons.

The sixth being the Bill for the uniting and annexing of Churches, was read *primâ vice*, & *commisæ* *Justiciario Southcot*, *ut in duos libros redigatur.*

On Wednesday the 10th day of March, the Bill for the Restitution in Blood of William West, And the Bill for Restitution in Blood of Sir William Carew Knight, were each of them read *tertiâ vice*, & *conclus.*

Eight other Bills had each of them one reading, of which the three last, the one for Badgers

of Corn, and Drovers of Cattle to be Licens'd, Another touching the Lord Viscount Bindon, And the third for the relief of the Poor; were each of them read *secunda vice.*

On Thursday the 11th day of March, the Bill for avoiding of divers Foreign Wares, made by Handy-crafts-men beyond the Seas; The Bill against fond and phantastical Prophecies; And the Bill for the punishment of the vice of Buggery, were each of them read *tertiâ vice*, & *conclusa*, & *commisæ sunt Attornato Domine Reginae*, & *Doctori Tale in Domum Communem deferend.*

Six other Bills also of no great moment, had each of them one reading; of which the second being the Bill against Forgers of false Deeds and Writings; and the third being the Bill for Badgers of Corn and Drovers of Cattle, to be Licens'd, were each of them read *tertiâ vice*, & *conclus.*

Four Bills were brought up to the Lords from the House of Commons, of which the first, being the Bill for the Confirmation of the Subsidy granted by the Clergy, and the second, declaring the Authority of the Lord Keeper of the Great Seal, and the Lord Chancellor, to be one, were each of them returned *conclus.*

On Saturday the 13th day of March, the Bill touching the Town of Southampton, was read *secunda vice*, & *commisæ ad ingrossand.*

The Bill touching the Boyers of Westminster, was read *prima* & *secunda vice*, & *commisæ ad ingrossandum.* The Bill also for Confirmation of divers Liberties, granted by Letters Patents to the City of Exeter, was read *tertiâ vice*; And a Proviso added thereunto by the Lords, being read *prima*, *secunda* & *tertiâ vice*; the Bill was concluded, *Commun. omnium procerum assensu.*

On Monday the 15th day of March, Seven Bills had each of them one reading, of which the second being the Bill that the Hospital of St. Katherines near the Tower of London, shall be a Parish Church, and for the erecting of a School, was read *primâ vice*, and committed to the Bishop of London: *Quod nota*; For Bills are not usually committed until the second reading, *vide tamen consimile* on Tuesday the 26th day of January foregoing.

The fourth also being the Bill for the Enrolment of Bargains and Sales, in the Queens Majesties Courts of Record, in Lancaster, Chester and Durham, was read *tertiâ vice*, & *commisæ* *Servienti Carus*, & *Attornato Domine Reginae*, *unâ cum Bill. Civitat. Exon. in Domum Communem deferend.*

Five Bills were brought up to the Lords from the House of Commons, of which the first, being the Bill for the Restitution in Blood of Sir Ralph Chamberlaine Knight, and John Harleston Esq; And the Bill for Restitution in Blood of Anne Thomas, Daughter and Heir of William Thomas Esq; were each of them returned *conclus.*

On Tuesday 16. day of March, the Bill for the relief of the Poor; The Bill for uniting of Churches in Cities and Towns Corporate; The Bill for the Boyers of London, Westminster, and Southwark; And the

the Bill for the Confirmation of a Grant made by Letters Patents to the Town of *Southampton*, touching the bringing of Malmesies, and Sweet Wines by Merchant Strangers, were each of them read *tertiâ vice & conclusâ*.

The Bill for the Assurance of the Queens Majesties Power over all States and Subjects within her Dominions, which had been before here passed, and concluded in the Upper House, and sent down by them to the House of Commons, and from the Commons sent back again to the Lords, with certain Provisoës and Amendments added thereunto; The said Bill needed no new reading; but the said Provisoës and Amendments, which had been added, since it had passed the Upper House, were now read *primâ, secundâ & terciâ vice*, all at once and so passed.

The Bills for *Southampton*, and the Boyers of *Westminster*, were sent down to the House of Commons, by Mr Solicitor, and Dr Yale; and from thence were returned two other Bills which had passed the Upper House; the one for sundry politick Constitutions for the encrease of the Navy, and the other for the Restitution in Blood of *William West*.

On *Wednesday* the 17th day of *March*, the Bill for Assignment for the Queens Household, was read *tertiâ vice*; and with the Bill for uniting of Churches in Towns Corporate, and for relief of the Poor, was sent from the Lords to the House of Commons.

The Bill for allowance to be made to the Sheriffs, being called for, the Lord Keeper of the Great Seal declared to the Lords, that the Queen would her self take Order therein, which her pleasure and determination she willed him to signify unto them on her behalf.

On *Thursday* the 18. day of *March*, Six Bills of no great moment, had each of them one reading; of which the fourth, being the Bill against Filing, Washing, and Clipping of Coins, was read the second time, and committed to be ingrossed.

The Bill concerning Viscount *Bindon*, and the Bill for Tillage, were Ordered this day to be ingrossed.

On *Saturday* the 20. day of *March*, the Bill touching peculiar Jurisdickions, was upon the second reading committed to the Earl of *Shrewsbury*, the Earl of *Huntington*, the Earl of *Bedford*, the Bishop of *London*, the Bishop of *Bangor*, the Bishop of *Lincoln*, the Lord *Wentworth*, the Lord *Rich*, the Lord *Willoughby*, and the two Chief Justices.

Nota, That here the Judges, who are but Assistants unto the Upper House, are made joint Committees with the Lords; vide a like President on *Tuesday* the 26. of *January* foregoing.

Four other Bills had each of them their third reading, and passed, and were sent to the House of Commons by Mr Serjeant *Carus*, and the Queens Solicitor; of which one was for the preservation of the Woods in *Sussex*, and another for the punishment of Clipping, filing, round-

ing or washing of the Coin of this Realm, or any other Coin currant within this Realm.

Seven Bills were brought up to the Lords from the House of Commons; of which the first was against fond and phantastick Prophecies; The second against Conjurations, Enchantments and Witchcrafts; And the third for the punishment of the vice of Buggery.

On *Monday* the 22 day of *March*, Five Bills had each of them one reading; of which the first being the Bill for the punishment of such persons as shall procure and commit wilful Perjury; and the Bill touching Fines and Recoveries, with Voucher, where the Original Writ is imbezilled, or lacking, were each of them read the first time, and committed to the Queens Learned Counsel.

On *Tuesday* the 23. day of *March*, Three Bills of no great moment, had each of them one reading; of which the first, being the Bill for the punishment of unlawful taking of Fish, Deer, and Hawks, was read the second time.

On *Wednesday* the 24. day of *March*, the Bill for the maintenance of the Navy, with certain Provisoës added thereunto by the Lords, was read *tertiâ vice, & conclusâ*, and committed to Serjeant *Carus*, and the Queens Attorney, to be carried to the House of Commons.

The Bill also against unlawful Contracts and Bargains upon Usury, was read *tertiâ vice*, and rejected.

On *Thursday* the 25. day of *March*, Four Bills had each of them one reading; of which the first, being the Bill for punishment of such persons as shall commit wilful Perjury, was read the second time.

A Proviso to be annex'd to the Bill for Stealing of Hawks, Deer, or Conies, was read *prima, & secunda vice, & commissâ ad ingrossandum*.

On *Friday* the 26. day of *March*, the Bill for reviving of a Statute made An. 23 H. 8 touching the making of Goals, was read *secunda vice, & commissâ ad ingrossand.*

On *Saturday* the 27. day of *March*, Six Bills of no great moment, had each of them one reading; of which the second, being the Bill for the punishment of unlawful taking of Fish, Deer or Hawks, was read *tertiâ vice, & communi omnium Procerum assensu conclus.*

On *Monday* the 29. day of *March*, Four Bills had each of them one reading; of which the first, being the Bill for the punishment of such persons as shall procure or commit any wilful Perjury; And the second for the due Execution of the Writ, *de Excommunicato capiendo*; were each of them read the third time, & *communi omnium Procerum assensu conclus.* and committed to the Queens Attorney and Solicitor, to be carried to the House of Commons.

The Bill for *Plumsted-Marsh* was committed to the Lord Chief Justice; *Quod nota.*

On *Tuesday* the 30. of *March*, Eight Bills were brought up to the Lords from the House of Commons; whereof six having been formerly sent

sent down from the Lords, were now returned expedited.

The seventh and eighth, being for the translating of the Bible, and other Divine Service, into the Welch Tongue; and that Chancellors, Commissaries, and Officials in Ecclesiastical Courts, shall be Graduates of one University, were each of them read *prima vice*.

Two Bills were brought from the House of Commons; of which the second, being the Bill touching an Annuity granted to the finding of a School in Guildford, was *primâ vice lect.*

The Bill lastly to fill up Juries, *de Circumstantibus*, lacking in Wales, was *tertiâ vice lect. & conclusa*.

On *Wednesday* the 31. day of March, four Bills had each of them one reading; of which the first being the Bill that Chancellors, Commissaries and Officials in Ecclesiastical Courts, shall be Graduates of one University, And the second for translating the Bible, and other Divine Service, into the Welch Tongue, were each of them read the second time; but no mention is made, that they were either Ordered to be ingrossed, or referr'd to Committees, because they had been sent from the House of Commons on the day foregoing.

On *Thursday* the first day of April, the Lords Spiritual and Temporal Assembled in the House; but nothing was done, save only the Parliament continued by the Lord Keeper in Form following.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Sabbati prox. hora nona.

On *Saturday* the 3^d day of April, Three Bills were brought from the House of Commons; of which the first was the Bill for relief of the Poor, with divers Amendments added by the House of Commons, and two Provisoës; And the second for Confirmation of Letters Patents granted to the Town of *Southampton*, touching the bringing in of Wines by Merchant Strangers, with a Proviso added by the Commons. The Bill touching the Annuity granted for the finding of a School at Guildford, was read *tertiâ vice & conclus.*

Hodie introduct. est à domo Communi Billa, touching an Assignment of the Queens Majesties Household; with certain Provisoës thereunto added by the Commons, quæ primâ, secundâ & tertiâ vice lect. & conclus. sunt.

The Bill lastly for the Annexing of the County of *Dorset* to the Jurisdiction of the Bishoprick of *Salisbury*, was read *prima vice*.

On *Monday* the 5. day of April, the Bill for the translating of the Bible, and other Divine Service into the Welch Tongue, was read the third time; and a Proviso added thereunto by the Lords, was also thrice read, *& conclus. & commissa Servienti Carus in Domum Communem deferend.*

The Bill for the relief of the Poor was read *tertiâ vice & conclus.*

On *Tuesday* the 6. day of April, Five Bills were brought up to the Lords from the House of Commons; of which the first being the Bill for the translating of the Bible into the Welch Tongue, with three others, was returned, *& conclus.* And the fifth, being the Bill touching Curriers, Shoo-makers, and other Artificers, occupying the working of Leather, was read *prima vice*.

The Proviso added by the Lords to the Bill for the Town of *Southampton*, was read *primâ, secundâ & tertiâ vice & conclus. & commissa Attornato & Sollicitatori Domine Regine in Domum Communem deferend.*

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam à Meridie.

On the aforesaid *Tuesday* in the Afternoon, the Bill touching Tanners, Curriers, Shoemakers, and other Artificers, occupying the working of Leather, was read *secundâ vice*; Et nota, that the same Bill was read the day following, *tertiâ vice & conclus.*

On *Wednesday* the 7. day of April, Seven Bills were brought up to the Lords from the House of Commons; of which the one was for Orders for Bankrupts, their Goods and Chattels, Lands and Tenements, and another for Retailers of Worsted Wools in *Normich*, and the County of *Norfolk*, with a Proviso added by the Commons.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam à Meridie.

On the aforesaid *Wednesday* in the Afternoon, the Bill touching Orders for Bankrupts, their Goods and Chattels, Lands and Tenements, was read *primâ vice*.

On *Thursday* the 8. day of April, Three Bills were brought up to the Lords from the House of Commons; of which the first being the Bill to take away the Misdemeanors of Purveyors and Takers, was read *primâ vice*.

The Bill for divers Orders for Artificers, Labourers, Servants of Husbandry, and Apprentices, was read *tertiâ vice, & conclus.* and sent down to the House of Commons, by Serjeant *Carus* and Dr *Tale*.

Two Bills were sent up to the Lords from the House of Commons; the one that Sanctuary shall not be allowed to defraud any due Debt, And the other was for the Paving of *Kentish* Town near *Southmark*.

The Proviso annex'd by the Commons, to the Bill for Retailers of Worsted-Wools in *Normich*, and the County of *Norfolk*, was read *tertiâ vice, & communi omnium Procerum assensu conclus.*

The Proviso annex'd by the Commons to the Bill for the maintenance of Tillage; And also one other Proviso annex'd to the same Bill, by the Lords, were each of them read *primâ, secundâ & tertiâ vice*.

On *Friday* the 9. day of April, the Bill for Tillage was given to Mr Attorney, and Mr *Martin*,

tin, to be carried to the House of Commons.

The Bill touching Orders of Bankrupts, their Goods and Chattels, Lands and Tenements, was read *secundâ vice*.

Three Bills were brought up to the Lords, from the House of Commons *conclus*. ; of which one was touching divers Orders for Artificers, Labourers, Servants of Husbandry and Apprentices; And the second for the maintenance of Tillage; And the third for the due Execution of the Writ *de Excommunicato capiendo*, with a Proviso annex'd by the Commons, and divers Amendments; *que primâ & secundâ vice lect. sunt; eadem Provis. tertiâ vice lecta est & conclus.*

The Bill to take away the misdemeanors of Purveyors, and Takers, was read the second time, and committed to Justice *Southcot*: *Quod nota.*

The Bill for the destruction of Rooks, Coughs and other Vermine, was brought up to the Lords, from the House of Commons; which said Bill was on the day following in the Afternoon read *primâ vice*.

On Saturday the 10th day of April, the Bill for the reviving of a Statute made *Anno xxiii^o Hen. 8.* touching the making of Goals, with a Proviso thereunto annex'd by the Commons; which said Proviso was read *primâ, secundâ & tertiâ vice, & conclus.*

The Bill for the Queens Majesties most free and General Pardon, was read *primâ vice, & communi omnium Procerum assensu conclusa.*

Nota, That this Bill for the general Pardon, was concluded after the first reading; whereas to all other Bills three readings are required, before they can be passed.

The Bill also for Reformation of divers misdemeanors in Purveyors, was read *tertiâ vice*, with certain Amendments, *& conclusa.*

And then following the ordinary form, the Parliament was continued in manner and order accustomed; *viz.*

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam primam à Meridie.

In the Afternoon, the Bill for destruction of Rooks and Coughs, and other Vermin; And the Bill touching buying and selling of course Woolls, to make Cottons, &c. were each of them read *tertiâ vice & conclus.*

Two Bills were returned from the House of Commons *conclus*. One to take away the misdemeanors of Purveyors, and Takers, and the other touching Orders for Bankrupts, their Goods and Chattels, Lands and Tenements.

Nota, That in the Original Journal-Book of the Upper House, next after the setting down or entring of the two Bills aforesaid to have been returned up to the Lords, from the House of Commons, there followeth immediately the entrance of the Prorogation of this Session of Parliament; which doubtless happened through the great negligence of *Francis Spilman Esq;* at this time Clerk of the said Upper House: For the

Queens Majesty her self, with the Lords both Spiritual and Temporal was present in her Robes, and gave her Royal Assent to such Acts as passed; Although no presence of any of the Lords or her Majesty, be at all marked in the said Original Journal-Book. And therefore I have caused the solemn and stately manner of the Queens coming to the Upper House, with the several Interlocutory Speeches of the Speaker of the House of Commons, and the Lord Keeper, to be inserted at large out of a written Copy, or Anonymous memorial thereof, I had by me, being doubtless the very Original Draught, set down by some Member of one of the two Houses, or at least by some other observant person, then present, while the said Speeches passed in the Upper House; for it is written in a hand and language of that very time, and in many places amended and interlined.

About three of the Clock (this present *Saturday* in the Afternoon) the Queens Majesty came by Water from *Whitehall*, and landed on the backside of the Parliament Chamber; and so the Earl of *Northumberland*, bearing the Sword afore her, the Dutches of *Norfolk* the Train; she proceeded up into her Privy-Chamber, and there Apparell'd her self in her Parliament Robes; during which time the Lords likewise put on their Robes, and took their Places.

On the Upper Sack sate the Lord Keeper, till the Queen came, and then he went to his place, at the Rail, on the right hand to the Cloth of Estate: On the Wooll-sack on the North-side, sate Sir *Robert Catlin*, and Sir *James Dyer*, the two Chief Justices, Sir *John Mason*, and Serjeant *Carus*, Mr *Ruswell* the Queens Solicitor, and Doctor *Tale*.

On the Sack on the South-side, sate Sir *William Cecil* Secretary, Sir *William Cordall* Master of the Rolls, Justice *Weston*, Serjeant *Southcott*, Mr *Gerrard* the Queens Attorney, and Doctor *Lewes*.

On the nether Sack sate Mr *Spilman*, Clerk of the Parliament, Mr *Powle* Deputy and joint Patentee with Mr *Martin*, Clerk of the Crown, Mr *Heming* and some Clerks of the Signet, *Difter* and *Permitter*, before which nether Sack stood a little Table.

Then the Queens Majesty, being Apparell'd in her Parliament Robes, with a Caul on her Head, came forth, and proceeded up, and took the Seat; the Duke of *Norfolk*, as Earl Marshal, with his gilt Rod, before her, with the Marques of *Northampton* bearing the Cap of Maintenance, and stood on her right hand, and the Earl of *Northumberland* the Sword, on her left hand; the Queens Mantle born over her Arms by the Lord Admiral, and Lord of *Hunsdon*; her Train born by the Dutches of *Norfolk*, assisted by the Lord Chamberlain, and Mr *Astley* Master of the Jewel-House; and so her Majesty being placed, the Duke of *Norfolk*, the Lord Admiral, and the Lord *Hunsdon*, took their places, and from time to time, as her Majesty stood up, her Mantle

over her Arms, was assisted up with the Lord *Robert Dudley*, Master of the Horse, and Sir *Francis Knowles* Vice-Chamberlain.

Then all being placed, Mr *Williams* the Speaker was brought in between Sir *Edward Rogers* Comptroller, and Sir *Ambrose Cave* Chancellor of the Dutchy; and after one obeysance made proceeded down to the Wall, and from thence came up to the Rail, in the way making three Obeysances; and after he was up at the Rail, he made three Obeysances, and then began his Oration, as followeth.

THis it is, most Excellent and Vertuous Princess, &c. As nature giveth to every reasonable Creature to speak, so it is a grace to be well learned; and I presenting the Mouth of such a Body, as cannot speak for it self; and in the presence of your Majesties Person and Nobles, must most humbly desire and crave of your Highness, to bear with my imperfections.

This Common-Wealth hath been by Gods Providence first instituted, and since by Mans Policy continued, wherein Justice and good Counsell is most to be preferred; for Antient Law-makers, and Authors of good Laws, be worthy to be praised, and had in perpetual remembrance; and such are the Laws that we have made in this Common-Wealth, as (in mine Opinion) do excel and pass all other humane Laws.

Amongst divers Authors of good Laws, we have set forth unto us, to the end they should not be forgotten, three Queens; the first *Palestina* the Queen, Reigning before the Deluge, who made Laws as well concerning Peace as War.

The second was *Ceres* the Queen, which made Laws concerning evil doers; And the third was *Marc.* Wife of *Bathilacus*, Mother to *Stillicus* the King, who enacted Laws for the maintenance and preservation of the good and well-doers.

And since that time, *Etheldred* a King in this Realm, Established Laws, and set in most beaten, high, and cross ways, a Cross, and therein a Hand, with a Ring of Gold, pointing to the most usual way, which also stood untaken away or diminished during his Life.

And so you are the fourth Queen, Establisher of good Laws, our most dread Sovereign Lady, for your time as happy as any of the three, which happiness for the present I let slip, and desire, as all our hearts do, that some happy Marriage to your contentation might shortly be brought to pass; your Majesty finding this Realm out of Order, and full of Abuses, have continually had a special care to reform the said Abuses; and for the more expelling thereof, have Congregated together this Assembly, whereby partly to your Contentation, for Reformation of the same, to its old pristine Estate, and for Money and Peace, is all that chiefly we have done; for which purposes we have agreed upon and made certain Laws, which until your Majesty have granted your Royal Assent, and so given Life thereunto, cannot be called Laws.

And herein requiring of your Majesty three Petitions, two for the Commons, and one for my self; the first for such Laws as they have made, being as yet without Life, and so no Laws, that it would please your Majesty to grant your Royal Assent unto them; Secondly, that your Highness would accept their doings in good part, that the imperfections of their Labours, by your acceptance may be supplied; for, as appeareth in sundry Histories, the persons of those Princes and Subjects have long continued, which have well used themselves one toward th'other; which without neglecting of my duty, I cannot in your presence so let slip; for, as it appeareth in divers Histories, the Noble *Alexander* having presented unto him by one of his poor Souldiers the Head of one of his Enemies, he, not forgetting the Service of his Souldier, although herein he had done but his Duty, gave unto him a Cup of Gold, which first the Souldier refused; but after that *Alexander* had Commanded it to be filled with Wine, and delivered him, he received it, whereby appeareth the Noble and Liberal Heart of the said *Alexander*.

Also *Xenophon* writing of the Life of *Cyrus*, who being liberal of Gifts, having vanquished *Craesus*, and he marvelled at his liberality, said, it were better to keep it by him, than so liberally to depart from it; unto whom *Cyrus* answered, That his Treasure was innumerable; and appointed *Craesus* a day, to see the same; and thereupon took Order, that his Subjects should before that time bring in their Treasure; which being innumerable, and more than *Cyrus* by any other means could have given, *Craesus* much wondred thereat; *Cyrus* said, thou causest me to take of my Subjects, and retain the same; but what need I to take, when they so frankly will bring it unto me? and so as occasion serveth, ready continually to supply my want? therefore how can I be but rich, having such Subjects? but if they by my means or any other were poor, then were I poor also.

Which two worthy Examples of *Alexander* and *Cyrus*, your Majesty hath not forgotten to ensue; but with the like zeal have hitherto always used us, and now especially at this present, by your most gracious and free Pardon; for the which, and all other, they by me their Mouth, do most humbly thank you; knowing such, and so much love and zeal of their parts towards your Majesty, as ever any Subjects did bear towards their Prince and Governour. And in token thereof, with one Assent do offer to your Highness, one Subsidy and two Fifteens, most humbly beseeching your Majesty to accept it, not in recompence of your benefits, but as a Token of their Duty, as the poor Widdows Farthing was accepted, as appeareth in the Scripture.

Thirdly, That it may also like your Majesty, to accept my humble thanks in allowing, and admitting me, being unworthy of this place, and bearing with my unworthy service; and last of all, my unfitting words, uplandish and rude Speech;

Speech; beseeching God to incline your Majesties Heart to Marriage, and that he will so bless, and send such good success thereunto, that we may see the Fruits and Children, that may come thereof, so that you, and they, may prosperously, and as long time Reign over us, as ever did any Kings or Princes, which God for his Mercies sake grant unto us. And so he ended, making his Obedience.

Then the Queen called the Lord Keeper unto her, Commanding him, in her Name, to Answer him, as she then declared unto him; which followeth.

Mr Speaker, The Queens Majesty hath heard how humbly and discreetly you have declared the Proceedings, and for Answer hath Commanded me, that I should utter three or four things, the first for her Royal Assent to the Acts made at this Parliament; Secondly, How comfortably, and also thankfully, her Majesty accepteth your Liberality; And thirdly, For the Executing of the Laws.

Here my Lords and Masters, although I cannot declare, or open it unto you, as her Majesty hath Commanded me; and therefore willingly would hold my Tongue, if I might, which, for that I cannot be so excused, say unto you as followeth; not doubting of her Highness Clemency in bearing with me herein.

First, Her Majesty considereth how wisely you have done, for the abolishing of the Romish Power, the Common Enemy of this Realm; remembring your care for the defence of the same Realm, your respects for the maintenance of Victual, the banishment of Vagabonds, and relief of the Poor, with other: And therefore alloweth your worthy Proceedings herein.

Secondly, Your Liberality and Benevolence, wherein your wise Considerations towards her Charges, is by her Majesty taken in thankful part; and I take it to be my Duty, to put you in remembrance, that although this Subsidy is made, and to be born by Subjects, not daily accustomed thereunto; but that at her first entrance she had the like; and that the grant thereof is more liberal than afore hath been accustomed, and that it is of your necessity, yet it is to withstand a greater necessity, that for fault thereof would else have ensued; and therefore that penny is well spent that saveth a groat; which also hath been granted, neither with persuasions, threats, nor sharp words, which afore this time hath been accustomed, but by one general consent of you all; wherein appeareth your good wills, and benevolent minds, you bear to her Majesty, which zeal she most accepteth; and as she hath cause, thanketh you.

Again, by her Majesties Commandment, she remembring by whom, why, and to whom this was granted, doth think as freely as you have granted the most part whereof hath been accepted, and lest those that have so freely offered

should not be so ready towards the gathering, thinketh it much better to lose the sum granted, than to lose your benevolent minds.

Thirdly, To the Execution of Laws, I have little to say, although the whole substance consisteth therein; because I did in the beginning of this Parliament declare my Opinion in that matter; and therefore, as now you have to your Charges taken pains in making good Laws, so put to your helps, to see these and all other Executed; for as it is infallible, that a thing done unconstrained, is much better than when they be constrained thereunto, even so her Majesty willet you to look well, without more words, to the Execution, lest her Grace should be driven to do, as she doth in her Ecclesiastical Laws, make Commissions to inquire, whether they be done or no; whereby she shall know those Justices and Officers, who have done their Duty, and are to be used in service of Justice, whereof her Majesty desireth to have many; and again she shall understand who are to be barred from the like rooms, and the penal Statutes to be on them Executed, after this gentle warning: which inquiry I know is like to fall on me, as well as another. Howbeit, if Justice be not Executed, I shall be glad to see this Order taken. Notwithstanding, her Majesty hopeth that this her admonition shall not need, for that you see Laws without Execution, be as a Torch unlighted, or Body without a Soul: therefore look well to the Executing. Here endeth the three things, which her Majesty commanded me to say unto you.

Besides this, her Majesty hath to Answer your Petitions, and as to the first, in which you desire her Royal Assent to such matters as you have agreed upon; to that she saith, how at this present she is come for that purpose.

And for your other Petitions, to accept in good part, as well your service as the travails and doings of the nether House, this Parliament; and to that she Answereth, how that she doth not only accept them in good part, but also thanketh both you, and them for the same.

And touching your request before this made unto her, for her Marriage and Succession, because it is of such importance, whereby I doubted my own opening thereof, and therefore desire her Majesty, that her meaning might be written, which she hath done and delivered to me, to be read as followeth.

Since there can be no due Debt than Princes words, which I would observe, therefore I Answer to the same; thus it is. The two Petitions, which you made unto me, do contain two things; my Marriage, and Succession after me. For the first, If I had let slip too much time, or if my strength had been decayed, you might the better have spoke therein; or if any think I never meant to try that Life, they be deceived; but if I may hereafter bend my mind thereunto, the rather for fulfilling your request, I shall be therewith very well content.

For the second, the greatness thereof maketh me to say and pray, that I may linger here in this Vale of Misery for your Comfort, wherein I have witness of my Study and Travail, for your Surety; And I cannot with Nunc dimittis, end my Life, without I see some foundation of your Surety after my Grave Stone.

These foregoing Speeches being thus transcribed out of the very Autograph, or Original Memorial of them, as aforesaid; now follows the form and manner of her Majesties Royal Assent to such Acts as passed.

Sir Nicholas Bacon, Lord Keeper, Commanded the Clerk of the Crown to read the Acts; whereupon Mr Thomas Powle, as Joint-Patentee, and in the absence of Mr Martin, Clerk of the Crown, stood up before the little Table, set before the Wooll-sacks, and after Obeysance made, began to read the Titles of the same, as followeth.

An Act for the Assurance of the Queens Majesties Royal Power over all States and Subjects, within her Dominions.

Then Francis Spilman Esq; Clerk of the Upper House, standing up, after Obeysance made, read her Majesties Answer, in these words; viz.

La Roigne le veut.

And then both the Clerk of the Crown, and the Clerk of the Upper House, made Obeysance together.

Thomas Powle Esq; Clerk of the Crown, standing up, did read the Title of the Bill of Subsidy, and then Francis Spilman Esq; Clerk of the Upper House, standing up likewise, did read the Queens Majesties Answer, in manner and form following; viz.

La Roigne remercie ses loyaulx subjects, accept leur benevolence, & ainsi le veut.

The said Clerk, having read the Queens Acceptance and thanks for the Subsidy given as aforesaid, did then, upon the reading of the Title of her Majesties Pardon, by the Clerk of the Crown as aforesaid, pronounce in these French words following, the thanks of the Lords and Commons for the same.

Les Prelats, Seigneurs & Communes en ce present Parliament Asssembles, au nom de tous vous autres subjects, remercient tres humblement vostre Majestye, & prient à Dieu que ils vous donne en santé bonne vie, & longue.

The Bills of Subsidy and Pardon being passed, then were the Titles of the publick Acts read by the Clerk of the Crown; to every one of which allowed by the Queen, the Clerk of the Upper House read these French words following; viz.

La Roigne le veut.

To every private Act that passed, the said Clerk of the Upper House read the Queens Answer, in these French words following.

Soit fait come il est desire.

These two last Answers to the publick and private Acts, that pass, are to be written by the said Clerk at the end of every Act.

To such Acts as her Majesty did forbear to allow, the Clerk of the Upper-House read in these French words following, viz.

La Roigne s'advise.

Her Majesty having given her Royal Assent to such Acts as passed, in manner and form as aforesaid, then Sir Nicholas Bacon, Lord Keeper of the Great Seal, Prorogued this Session of Parliament by her Majesties Commandment, to a further day; which is thus entred in the Original Journal-Book of the Upper House, viz.

Dominus Custos magni Sigilli ex Mandato Domine Regine Prorogavit præsens Parliamentum usq; in secundum diem Octobris proximum futurum.

After which (as is contained in the often before-mentioned Anonymous Autograph, or Original Memorial of this days passages) the Queen rose, and proceeded into her Privy-Chamber, and shifted, and then proceeded to her Barge, and so to the Court, which was about six of the Clock in the Afternoon.

That which followeth, being the second Prorogation of this foregoing Session, *de an. 5 Regine Eliz.* is entred at large at the beginning of the Original Journal-Book of the Upper House, *de an. 8, & 9 Regine ejusdem*; being the second and last Session of this present Parliament; yet because it fell out within this fifth Year, and may indifferently be referred to the Upper House Journal of either Session, I thought good in the transcribing of it to cause it to be annexed, and added to this present Journal in manner and form following.

Memorandum, quod secundo die Octobris, Anno Regni Elizabethæ, Dei Gratiâ, &c. Quinto, in quem diem 10^o die Aprilis ultimo elapso Prorogatum fuit hoc præsens Parliamentum, ex Mandato dictæ Domine Regine, convenerunt Domini tam spirituales quam temporales, quorum nomina subsequuntur, viz.

Marchio Wintoniæ Thesaurarius Angliæ, Episcopus London, Episcopus Wintoniæ, Dominus North, Dominus Mordaunt.

Qui cum convenissent, adstantibus tunc etiam Populi Burgensiumq; ut vocant satis magnâ frequentiâ, dictus Dominus Thesaurarius paucis verbis declaravit conventum Procerum & Populi, quem Parliamentum vocant, in hunc diem destinatum, à dicta Domina Regina, certis quibusdam de causis & considerationibus illam ad id specialiter moventibus, maxime propter infectionem Aeris pestiferi per Civitates London, & Westmonaster. ac suburbia earundem, ad præsens grassantem, differri in quintum diem Octobris qui erit in Anno Domini Millesimo quingentesimo sexagesimo quarto; Atq; ut tam Proceribus quam Populo palam fieret Regiam Majestatem ita constituisse, Literas commissarias dictæ Domine Regine, Francisco Spilman Armigero Clerico Parliamenti publicè & clarâ voce legendas, in manus tradidit: earum autem tenor hic erat.

Elizabeth Dei Gratia Angliæ, Franciæ, & Hiberniæ Regina, fidei defensor, &c. Charissimo Consanguineo, Willielmo Marchioni Winton. Thesaurario Angliæ, ac reverendis in Christo Patribus, Edmundo Episcopo London, Roberto Episcopo Winton, Willielmo Episcopo Cicestrensi, nec non prædictis & fidelibus suis, Henrico Domino Morley, Arthuro Domino Grey de Wilton, Edwardo Domino Windsor, & Johanni Domino Mordant, salutem. Cum nos nuper pro quibusdam arduis & urgentibus negotiis, nos, statum & defensionem Regni nostri Angliæ, ac Ecclesiæ Anglicanæ concernentibus, præsens hoc Parliamentum nostrum, apud Civitatem nostram Westmonasterii, duo-decimo die Januarii, Anno Regni nostri quinto, inchoari & teneri ordinaverimus, à quo die idem Parliamentum tunc & ibidem tentum & continuatum fuerat usq; decimum diem Aprilis, tunc prox. sequentem, eodemq; decimo die Aprilis idem Parliamentum nostrum usq; ad & in instantem secundum diem Octobris prorogatum fuerat, ibidemq; tunc tenendum & continuandum: Sciatis quod nos, certis urgentibus causis & considerationibus nos specialiter moventibus, & præcipue propter infectionem Aeris pestiferi ubiq; per Civitates nostras London, & Westminster & earundem Suburbia ad præsens invalescentem, de fidelitate, prudentiâ & Circumspectione vestris plurimum confidentes, de avisamento & assensu Concilii nostri assignavimus vos, & duos ve-

strum, dantes vobis, & duobus vestrum tenore præsentium plenam potestatem, facultatem, & Autoritatem hoc instanti die Sabbathi, ad præsens Parliamentum nostrum, nomine nostro, ad & in quintum diem Octobris qui erit in Anno Domini Millesimo quingentesimo sexagesimo quarto, usq; Civitatem nostram Westmonasterii prædict. Prorogandum & continuandum, ibidemq; tunc tenend. & prosequend., & ideo vobis Mandamus, quod circa præmissa diligenter intendatis, & ea in forma prædicta effectualiter explicetis. Damus autem univversis & singulis Archiepiscopis, Ducibus, Marchionibus, Comitibus, Vice-Comitibus, Episcopis, Baronibus, Militibus, Civibus & Burgensibus, ac omnibus aliis quorum interest, ad dictum Parliamentum nostrum conventuris, tenore præsentium firmiter in Mandatis, quod vobis in præmissis faciend. agend. & exequend. pareant, obediant & intendant, prout decet. In cuius rei Testimonium, has Literas nostras fieri fecimus Patentes. Teste meipsa apud Castrum nostrum de Windsor secundo die Octobris, Anno Regni nostri Quinto.

After which second time of Prorogation, in manner and form abovesaid, it was again Prorogued three several times as aforesaid; all which Prorogations are at large set down in the beginning of the Journal of the Upper House, in the Session of Parliament in Anno 8 Regin. Eliz.

THE
JOURNAL
OF THE
House of COMMONS.

A Journal of the Passages of the House of Commons in the Session of Parliament bolden at Westminster, An. Dom. 1562. which began (after one Prorogation of the same) on Tuesday the 12th of January, and then and there continued until the Prorogation thereof upon Saturday the 10th day of April, An. D. 1563.

THE Journal of this present Session of Parliament, is not only furnished with many good Ordinary passages, touching the reading, ingrossing, and passing of Bills; but also with some unusual and remarkable matter, concerning the Priviledges of the House it self, and with the return of divers Burgeses from certain Burrough-Towns, who had for some time before discontinued that their Priviledge. And although that *Seymour* Esq; continued still Clerk of the House of Commons, by which means the agitations of the said House were, for the most part, very imperfectly recorded by him in the Original Journal-Book of the same, so that the referring of a Bill to Committees is scarce discoverable, in respect that the name only of one of them is for the most part mentioned; yet the manner of the Burgeses taking the Oath of Supremacy (which was never in use before this Session of Parliament, it having been enjoined by Statute in the first year of her Majesties Reign) together with the manner of the Election and Presentment of the Speaker, is very Methodically and Orderly entered. And lastly, whereas there is mention made in the Original Journal-Book of the House of Commons aforesaid, that the Speaker with the whole House did exhibit their Petition to the Queens Majesty, on *Thursday* 23. day of *January*, in the Afternoon, touching her Marriage, and the Limitation of the Succession of the Crown, which said Petition is there omitted, I have therefore caused it to be inserted at large, out of a Copy thereof I had by me, which I gather by all concurring circumstances, to be the very same, which is only ge-

nerally remembred in the said Original Journal-Book, as aforesaid.

The second Parliament of the most Noble Princess *Elizabeth*, by the Grace of God Queen of England, &c. begun at *Westminster* on *Monday* the 11. day of *January*, in the fifth Year of her Gracious Reign; By her Highness Commission directed to the Lord Keeper of the Great Seal, the Lord Steward, the Lord Treasurer, the Duke of *Norfolk*, &c. to Prorogue the same Parliament until the 12. day of the same Month, viz. the Morrow following; And the Knights and Burgeses, being sent for to come unto the Lords in the Upper House, without any appearance of their names taken then by the Lord Steward, and Lord Treasurer, the Lord Keeper shewed in few words, that the Queens Majesty was somewhat sick of a Stitch; wherefore she had sent her Writ for the Prorogation, until the Morrow, which was done accordingly.

And on the Morrow, being the 12. day of *January*, about ten of the Clock, the Queens Majesty, with the Lords and Bishops in Parliament Robes, did ride from the Palace to *Westminster-Church*, and there heard a Sermon; during which the Earl of *Arundel*, being Lord Steward, repaired unto *Whitehall*, and there Recorded the Appearance of the Knights and Burgeses; at which time also (as may very well be collected by comparing this instant days passages, with those of *Thursday* the third day of *October*, in the Journal of the House of Commons, *de an. 8, & 9 Regin. Eliz.* following) the said Lord Steward did doubtless, either in his own person, or by his Deputies administer the Oath of Supremacy (according to the Statute,

de

de an. 1 Eliz. Cap. 1.) to such Knights, Citizens and Burgeſſes, as were at this time preſent, and appeared.

And after, the Queen coming from the Church, and being ſet in her Royal Seat in the Upper Houſe, and the Commons ſtanding at the lower end of the Chamber; The Lord Keeper of the Great Seal, with great Eloquence, declared this Parliament to be called for Religion, Diſcipline, and Aid to the State in defence of Enemies, with Excellent Dilation of thoſe Cauſes; And in the end willed the Commons to repair to their Houſe, and there to chuſe a diſcreet, grave, and wiſe man, to be their Speaker, and to preſent him to the Queens Maſteſty, on *Friday* next in the Afternoon; immediately the Commons reſorted to their Common Houſe, where after they were ſet, Mr Comptroller ſtanding up, rehearſed the Lord Keepers Oration, for the Election of a Speaker, and ſaid, that in his Opinion, Mr *Thomas Williams* Eſq; one of the Fellows of the *Inner-Temple*, being grave, learned and wiſe, was very meet to that Office; whereupon the whole Houſe with one intire Voice, cried Mr *Williams*, Mr *Williams*; And then Mr *Williams* ſtanding up, and reverently diſabling himſelf, required the Houſe to proceed to a new Election; unto whom Mr Secretary *Cecill* Anſwering that the Houſe had gravely conſidered of him; and therefore required him to take the place; and he approaching was led and ſet in the Chair by Mr Comptroller; and it was agreed by the Houſe to meet all there again on *Friday* next, at one of the Clock in the Afternoon, to preſent Mr Speaker to the Queens Maſteſty.

On *Friday* the 15th of *January*, in the Afternoon, Mr Speaker, with the reſt of the Houſe of Commons, went before the Queen in her Royal Seat, where Mr Speaker moſt humbly diſabled himſelf, requiring that a new Election might be made, to the which the Queens Maſteſty, confirming the ſame Election, by the Mouth of the Lord Keeper, Mr Speaker made an Excellent Oration, and in the end made the accuſtomed Petitions; which being granted, the Lord Keeper willed him with the reſt, to reſort to the Houſe of Commons, there to deliberate upon matters neceſſary; which being done,

The Bill for increaſe of Woods in *Champaign* Grounds, and ſaving of Bark of Timber to be felled, was read the firſt time.

On *Saturday* the 16. day of *January*, Two Bills of no great moment, had each of them one reading; of which one was touching Servants to ſerve their Maſters; And the other to put down an Iron-Mill near *Guilford*, and were each of them read the firſt time.

A motion was this day made by a Burgeſſ at length, for the Succeſſion of the Crown; of which ſee more, on *Thursday* the 28th day of this Inſtant *January* enſuing.

January the 17th day *Sunday*.

On *Monday* the 18th day of *January*, Five Bills of no great moment, had each of them one

and the firſt reading; of which the ſecond was the Bill for the aſſurance of the Mannors of *Whiteacre*, and *Whiteacre Burgh*, to *Richard Bertie* and *Katherine* Duchefs of *Suffolk* his Wife, from *Walter Herenden*, being a Feoffee in Truſt.

Certain Arguments were this day had in the Houſe, by divers wiſe Perſonages, for motion to be made for the Queens Marriage, and Succeſſion of the Crown.

On *Tuesday* the 19th day of *January*, the Bill for allowance to Sheriffs upon their Accompts, for Juſtices Diets, was read the firſt time.

Mr Speaker with the Couſel, and twenty four more of the Houſe, were appointed to meet this Afternoon, to draw Articles of Petition for the Queens Marriage, and Succeſſion. *Vide* Concerning this buſineſs, on *Thursday* the 28. day of this Inſtant *January* following; Mr Comptroller is nominated one of them.

For that it ſeemed to the Houſe, being very full, that they were a greater number than were returned; therefore the names were immediately called, and as they were called, they departed out of the Houſe, and in the end ten or eleven remained, who ſaid they were returned, and would bring Warrants thereof.

On *Wednesday* the 20. day of *January*, Two Bills of no great moment, had each of them one reading; of which the ſecond, being the Bill for allowance to Sheriffs, upon their Accompts for Juſtices Diets, was read the ſecond time; and as it ſhould ſeem Committed to Mr *Sackvill*, and others; ſee a like Preſident on the day following.

A motion was made by a Burgeſſ for a Subſidy.

The Queens Serjeant and Attorney brought a Bill from the Lords, touching the Garrison of *Barwick*.

An Excellent Declaration was this day made by Mr Secretary *Cecill*, of the great Charges defrayed by the Queens Maſteſty, and of the Cauſes of the Wars in *France*, for not keeping the Edict there made by the Parliament, and alſo touching the Charges at *Barwicke*, and *New-haven*, the Proviſion of Armour, and the Navy, the Cavillation of the French for *Callice*, concluding to conſider for the Aid.

The Bill laſtly, for the Government of the Garrison, and Souldiers of *Barwick*, was read the firſt time.

On *Thursday* the 21. day of *January*. For that it is ſaid, that Mr *Elrington* hath intereſt in the Iron-Mill in the Town of *Shere* in *Surrey*, whereas the Bill is to put down the ſame: It was reſolved, that Mr Speaker ſhould direct his Letter to him, in the name of the Houſe, to come and ſhew, if he will, for ſaving his Eſtate therein; *Vide* touching this buſineſs, on *Saturday* the 30. day of this Inſtant *January* enſuing.

The Bill againſt breaking of Ponds, and Stealing of Fiſh and Conies, was read the firſt time.

A like Letter was ſent alſo to the Heir of *Walter Herenden*, for the Lands claimed by Mr *Barty*, and the Duchefs of *Suffolk*.

The Bill to revive divers Acts to be Felony.

Mr Sidney.

By which manner of Entering the Title of the said Bill, it may plainly be collected, that the Bill it self, had at this time its second reading, and was thereupon committed to Mr Sidney aforesaid (to whom it seemeth the Bill was delivered) and others, whose names are omitted.

The Queens Serjeant and others brought a Bill from the Lords, touching the Repeal of a branch for conveying of Horfes; which Bill was presently read the first time.

On Friday the 22th day of January, Mr Elrington, Owner of the Iron-Mill in Shere; for the suppressing of which, a Bill was put into this House; desired a Copy of the Bill, and a day to Answer with his learned Counsel, two in number; and to bring his Answer on Friday next.

Three Bills of no great moment, had each of them one reading; of which the second being the Bill against carrying of Horfes out of the Realm, was *secundâ vice lect.*; but no mention is made, that it was either Ordered to be ingrossed, or referred to Committees, because it had been formerly sent down from the Lords. And the last, being the Bill for the Government of the Garrison and Souldiers of *Barwick*, was read the second time, and (as it should seem) was committed to Mr Fitz-Chamberlain (mistaken for Mr Vice-Chamberlain and others;) *Vide* a like President on Thursday the 21th day of this instant January foregoing.

For that Burgeses be returned of divers Boroughs, not lately returned in the Chancery; viz. the Burgeses of Tregony, St Jermynes, and Maws in Cornwall, the Borough of Minked in Somersetshire, the Borough of Tamworth in Stafford, and the Borough of Stankbridge in Southampton, Mr Speaker declared to the House, that the Lord Steward agreed they should resort into the House, and with convenient speed to shew Letters Patents, why they be returned into this Parliament.

Nota, That it was very common and ordinary in former times to avoid the Charges of their Burgeses allowance, in time of Parliament (when the Town grew into any poverty or decay) that the Boroughs did either get Licence of the Sovereign for the time being, to be discharged from such Election and Attendance, or did by degrees discontinue it themselves; but of later times, the Knights, Citizens and Burgeses of the House of Commons, for the most part bearing their own Charges, many of those Borough-Towns, who had discontinued their former privilege, by not sending, did again recontinue it (as these Towns here) both during her Majesties Reign, and afterwards in the Reign of King James her Successor.

On Saturday the 23th day of January, Three Bills had each of them one reading; of which the third being the Bill for levying of Fines in

the County Palatine of *Durham*, was read the second time, and Ordered to be engrossed.

The Bill to repeal the branch for carrying of Horfes out of the Realm, was read the third time and passed upon the Question.

Three other Bills had each of them one reading, of which the last being the Bill to avoid Aliens, not being Denizens, nor being here for Religion nor Conscience sake, was upon the second reading rejected, and the Bill torn.

On Monday the 25th day of January, Two Bills of no great moment, had each of them one reading; of which the first being the Bill for Oak-Timber, preservation of Bark, was read the second time, and thereupon rejected and torn.

Certain Articles in writing, were objected by the Burgeses of *Barwick*, against the Bill of *Barwick*, which was sent down by the Lords.

For that *Lewes Mountgomery* Esq., is returned Burgeses for *Northampton*, and also for *Dorchester*, and doth appear for *Northampton*, a new Writ *de Burgenf. eligendo*, was required for *Dorchester*.

The Queens Council with twenty four of the Shires, and six of *Wales* were appointed, on Wednesday next to meet in the Star-Chamber, for Order to be taken, concerning the Subsidy.

On Tuesday the 26th day of January, Two Bills had each of them one reading; of which the second being the Bill that Apothecaries, and their Stuff, shall be under the search of the Colledge of Physicians, was read the first time.

A Petition devised by the Committees (who were appointed on Tuesday the 19th day of this instant January foregoing, although their names be wholly omitted, through the Clerks negligence) to be made to the Queens Majesty by Mr Speaker, for limitation of Succession, was read by Mr Norton, one of the Committees. And thereupon the Queens Privy-Council were required to move her Majesty, that Mr Speaker with the whole House, may exhibit to her Highness that Petition, and to certifie her Highness pleasure. *Vide* touching this business on Thursday the 28th day of this instant January ensuing in *Pomeridiano*.

The Bill touching carrying of Horfes out of the Realm, was sent up to the Lords, by Mr Comptroller, with a request to the Lords, to further the Petition of this House to the Queens Majesty, touching Marriage and Succession; which was well allowed of by the Lords. *Vide* on Thursday the 28th day of this instant January following.

For that *Francis Walsingham* returned Burgeses for *Linn* in *Dorsetshire*, and for *Banbury* in *Oxfordshire*, doth appear for *Linne*, a new Writ *de Burgenf. eligend.* was required for *Banbury*.

On Wednesday the 27th day of January, the Bill touching Curriers to buy Tann'd-Leather, to work and sell it, was read the second time, and (as it should seem) was committed to Mr Crofts, and others not named. *Vide* a like President on Thursday the 21th day of this instant January foregoing.

Mr. Comp-

Mr. Comptroller with the rest of the Council, declared, that the Queens Majesty would receive the Petition to Morrow in the Afternoon, at the Palace, by Mr. Speaker, with the whole House; of which see more on the day immediately ensuing.

Mr. Comptroller with the Committees for the Bill of Subsidy, were appointed to meet this Afternoon in the Star-Chamber.

On *Thursday* the 28th day of *January*, the Bill for Badgers of Corn to be bound by Recognizance, in the open Sessions, was read the first time.

Post Meridiem.

In the Afternoon Mr. Speaker, with the whole House (with a Notable Oration) did exhibit their Petition to the Queens Majesty, in the Gallery at the Palace, touching Marriage and Succession; which her Highness thankfully accepted (with an Excellent Oration) deferring the Answer to further time, for the gravity of the Cases. What further Answer her Majesty gave, may be seen on *Thursday* the 16th day of *February* ensuing, and on *Saturday* the 10th day of *April* *postea*.

But as touching the Petition delivered to her Majesty this Afternoon, by the whole House, from the Mouth of Mr. Speaker, it is not at all contained in the Original Journal-Book of the House of Commons; and therefore having a Copy of it by me (which I do gather by all concurring circumstances, to be the very same here mentioned, both in respect of the time and matter) I have caused it to be inserted at large. I am not ignorant, that in divers Copies of this Speech, another Petition also is joined with it, as preferr'd likewise by the Lords to her Majesty, at this time, for the same Causes, which in truth happened not until the second Session of this Parliament following, *Anno 8, & 9 Reg. Elizabethæ*; neither shall it be needful to make any further demonstration thereof in this place, having so fully cleared it in the Upper House Journal, at that aforesaid second Session ensuing, upon *Tuesday* the 5th day of *November*; and now followeth the Copy of the above-mentioned Petition, at this time preferr'd as aforesaid.

Your Commons in this your Majesties present Parliament Assembled, most High and Mighty Princess, our most Dread Sovereign Lady, as they do daily, to their Commodity and Comfort, feel and receive the inestimable benefits of your most Gracious Government of this your Realm, in Peace and Surety, so do also most thankfully acknowledge the same, beseeching Almighty God long to bless and continue your most prosperous Reign over them; And among all these benefits which they daily receive of your Highness, they have at this time willed me, in their names to recognize unto your Highness, that they account it not the least, but rather among the greatest of them all, That your Majesty hath at this

time Assembled your Parliament, for supplying and redressing the greatest wants and defaults in your Common-Weal, and for the establishing the surety of the same; which your Majesties most gracious meaning, hath been at your Commandment, signified unto us, by the Right Honourable the Lord Keeper of your Great Seal of England, namely in this, that he willed us first to have consideration of the greatest matters that nearest touch'd the State of the Realm, and the preservation thereof, seeming therein also to express unto us the Conformity of your Majesties mind, in having principal respect to the matters of greatest weight; and for that respect Assembling this your Parliament. And forasmuch as your said Subjects see nothing in this whole Estate of so great importance to your Majesty, and the whole Realm, nor so necessary at this time to be reduced to certainty, as the sure continuance of the Government of the Imperial Crown thereof, and the most honourable Issue of your Body (which Almighty God send us to your Highness Comfort) and for want thereof, in some certain limitation to guide the Obedience of our Posterity; And where Almighty God to our great Terror and dreadful Warning, lately touched your Highness with some danger of your most Noble Person by Sicknesse, from which so soon as your Grace was by Gods favour and mercy to us recovered, your Highness sent out your Writs of Parliament, by force whereof your Subjects are at this time Assembled; your said Subjects are both by the necessity and importance of the matter, and by the convenience of the time of Calling them immediately upon your recovery, enforced to gather, and confess, that your Majesty of your most Gracious and Motherly Care for them, and their Posterity, have Summoned this Parliament, principally for establishing of some certain limitation of the Imperial Crown of your Realm, for preservation of your Subjects, from certain and utter destruction; (if the same should not be provided in your Life, which God long continue;) They cannot, I say, but acknowledge your Majesty hath most graciously considered the great dangers, the unspeakable miseries of civil Wars, the perillous and intermingling of Foreign Princes with seditious, ambitious, and factious Subjects at home, the waste of noble Houses, the slaughter of People; subversions of Towns, intermission of all things pertaining to the maintenance of the Realm, unsurety of all mens Possessions; Lives and Estates, daily interchange of Attainders and Treasons; All these mischiefs, and infinite others, most likely and evident, if your Majesty should be taken from us, without known Heir, (which God forbid) to fall upon your Subjects, to the utter subversion of the whole, whereof you have Charge under God: If good provision should not be had in this behalf. Your Majesty hath weighed the Examples of Foreign Nations, as what ensued the Death of Great Alexander, when for want of certain Heirs by him begotten, or appointed, the variety of Titles, the diversity of Dispositions in them that had Titles, the ambition of them that under colour of doubtfulness of Titles, forsook all obedience of Titles, destroyed his Dominions, and wasted Posterity with

mutual Wars and Slaughters : In what miserable Case also was this Realm it self, when the Title of the Crown was tossed in question, between the two Royal Houses of Lancaster and York, till your most Noble Progenitors Henry the Seventh, and the Lady Elizabeth his Wife, restored it to a settled Unity, and left the Crown in a certain course of Succession? These things, as your Majesty hath upon your own danger most graciously considered for our Comfort and Safety; so we most humble Subjects, knowing the preservation of our selves, and all our Posterity, to depend upon the safety of your Majesties most Royal Person, have most carefully and diligently considered, how the want of Heirs of your Body, and certain limitation of Succession after you, is most perillous to your Highness, whom God long preserve amongst us. We have been admonished of the great malice of your Foreign Enemies, which even in your Life-time have sought to transfer the Dignity and Right of your Crown, to a Stranger; we have noted their daily most dangerous practices against your Life and Reign; We have heard of some Subjects of this Land, most unnaturally confederated with your Enemies, to attempt the destruction of your Majesty, and us all that live by you; We fear a Faction of Hereticks in your Realm, Contentious and malicious Papists, lest they most unnaturally against their Country, most madly against their own Safety, and most treacherously against your Highness, not only hope for the woful day of your Death, but also lay in wait to advance some Title, under which they may revive their late unspeakable Cruelty, to the destruction of Goods, Possessions, and Bodies, and thralldom of the Souls and Consciences of your faithful and Christian Subjects; We see nothing to withstand their desire, but your only Life, their Unkindness and Cruelty we have tasted; we fear much to what attempt the hope of such opportunity (nothing withstanding them but your Life) will move them; We find how necessary it is for your preservation, that there be more set and known between your Majesties Life and their desire; We see on the other side, how there can be no such danger to your Majesty, by ambition of any Apparent Heir established by your benefit and advancement, for want of Issue of your Majesties Royal Body, as you are now subject unto, by reason of their desire and hope; We know not how many pretend Titles and Trust to succeed you, whose secret desire we so much more fear, because neither their number, force nor likelihood of disposition, is known unto us; and so we can the less beware of them for your preservation.

We find also by good proof, that the certain limitation of the Crown of France, hath in that Realm procured so great quiet, as neither the person of the Prince in Possession hath been endangered by secret or open practice, nor the Common-Weal molested by civil dissention, through any quarrel attempted, for the Title of that Crown; And somewhat near home, we have remembered the miserable estate of Scotland, after the Death of King Alexander, without any certain Heir, or limitation to whom the Crown of Scotland should remain; by reason whereof the

whole estate of that Realm was left open, to the ambition of many Competitors, and most grievous desolation and spoil, that grew upon such division; which afterwards gave occasion to King James the Fifth, to limit the Crown of Scotland to certain Noble Families of that Realm; whereby they at this present enjoy that quiet surety, which we want; And all your Majesties most Noble Progenitors, Kings of this Realm, have been in this behalf so careful, that from the Conquest till this present day, the Realm was never left, as it is now, without a certain Heir, living and known, to whom the Crown after the Death of the Prince, should appertain; So, as your Majesty of your singular Care for us, and our Posterity, hath at this time Assembled us, for establishing of this great and only stay of our Safeties. We again, Most Gracious Sovereign Lady, acknowledge our selves, and all that we have, to depend upon your Preservation, being according to our bounden Duty, most careful of the same, are in most humble manner come to your Majesties presence; And I, the Mouth appointed for them, together with and in the name of all your most loving, natural and obedient Subjects, do present unto you, our most lowly Suit and Petition, That forasmuch as of your Majesties Person would come the most redoubted and best Heirs of your Crown, such as in time to come we would most Comfortably see, and our Posterity most Joyfully Obey;

It may please your Most Excellent Majesty, for our sakes, for our preservation and comforts, and at our most humble Suit, to take to your self some Honourable Husband, whom it shall please you to join unto in Mariage; whom, whatsoever he be that your Majesty shall choose, we protest and promise, with all humility and reverence, to Honour, Love and Serve, as to our most bounden duty shall appertain; And where by the Statute which your most noble Father Assented unto, of his most Princely and Fatherly Zeal for his most loving Subjects, for the limitation of the Succession of the Emperial Crown of this Realm, Your Majesty is the last expressly named within the body of the same Act; and for that your Subjects cannot judge, nor do know any thing of the form or validity of any further limitations, set in certain for want of Heirs of your Body, whereby some great dangerous doubt remaineth in their Hearts, to their great grief, peril and unquietness; It may also please your Majesty, by Proclamation of certainty already provided, if any such be, or else by limitations of certainty, if none be, to provide a most gracious remedy in this great necessity, which by your most Honourable, and Motherly Carefulness for them, hath occasioned this Assembly; That in this convenient time of Parliament, upon your late danger most graciously called by you, for that cause, your Grace may now extend to us that great benefit, which otherwise, or at other times perhaps shall never be able to be done again; so not only we, but all ours hereafter, and for ever, shall owe no less to your Majesties propagation of Succession, than we do already owe to your most Famous Grandfather, King Henry the Seventh, his uniting of Division; And your Subjects on their behalfs,

behalfs, for your Majesties further Assurance, whereupon their own preservation wholly dependeth, shall imploy their whole endeavours, and Wits, and Power, to renew, devise and establish the most strong and beneficial Acts and Laws of Preservation, and Surety of your Majesty, and of your Issue in the Imperial Crown of this Realm, and the most penal, sharp and terrible Statutes, to all that shall but once practise, and attempt or conceive against your Safety, that by any possible means they may invent or establish, with such limitations of conditions, and restraints to all in Remainders, such grievous pains, and narrow Animadversions to all that shall enterprize or imagine any thing in prejudice of your Highness, and your Issue, as your Majesty shall not have any cause of suspicion, but most assured ground of Confidence in all your faithful Subjects, continually Watching and Warding for your Preservation, which God long continue, that you may see your Childrens Children, to his Honour and our Comfort, and encline your Gracious Ear to our most humble Petitions.

This Petition of the House of Commons, delivered by Thomas Williams Esq; their Speaker, to her Majesty this Afternoon, as aforesaid (to which see her Majesties further Answer sent to the said House, on Tuesday the 16th day of February ensuing) now follows the residue of the passages of this Journal, out of the Original Journal-Book of the same House.

On Friday the 29th day of January, Seven Bills of no great moment, had each of them one reading; of which the sixth being the Bill for Fines to be levied in the County Palatine of Durham, was read the third time, and passed the House.

For that John Hippesley Esq;, is returned a Burgess for Wotten-Basset in Wiltshire, and also for Wells in Somersetshire, and doth appear for Wells, a new Writ was required for Wotten-Basset.

Mr Elrington appeared this day, with Mr. Serjeant Harper, and Mr. Plowden being of his Learned Council, who shewing great reasons, that the Bill might be rejected, certain Articles were delivered in by the Mayor of Guildford, for maintenance of the Bill, which being read, the Copy thereof was awarded to Mr. Elrington; Vide de ista materia, on the Morrow following.

Giles Clinket, Servant to Sir John Parrot K^t, of Pembroke, Attached in London in a Plea of Debt, at the Suit of Francis Parke, had the Privilege of the House granted.

On Saturday the 30th day of January, Thomas Heneage was returned Knight for the County of Lincoln, and also Burgess for Boston in that County, and doth appear for Lincoln; whereupon a new Writ is required for Boston.

Three Bills had each of them one reading, of which the last being the Bill to revive the Act touching Usury, an. 37 Hen. 8. was read the first time, and as it should seem, committed

to Mr. Vice-Chamberlain, to consider of it.

Mr. Elrington came in with the Serjeant, requiring the Order of this House, in what sort he should Answer the Articles; whereupon the whole matter was committed to twelve of the House, to hear the Parties and Proofs on both sides, and thereupon to certify this House; of which number it should seem, Mr. Sidney was one. Vide touching this business on Thursday the 21th day, on Friday the 22th day, and on Friday the 29th day of this instant January foregoing.

It was Ordered, that every one of this House, that cometh after the Prayer, which shall begin at eight of the Clock, shall pay four pence to the poor Mans Box.

On Monday the first day of February, Five Bills of no great moment, had each of them one reading; of which the second being the Bill touching the Bowyers of London, was read the second time, and (as it should seem) committed to Sir William Chester, and others not named; And the third being the Bill against carrying over the Sea of Pelts and Sheep-Skins, not Staple Ware, was read the second time, and Ordered to be ingrossed.

The Committees in the Bill touching Barwick, have had Conference with the Lords, and have further day to meet again; viz. on Saturday next.

The Bill to have de circumstantibus to the Juries in Wales, and in the County Palatine of Lancaster, was read the first time.

Mr. Comptroller with others, was appointed to confer of the Privilege of this House, upon motions made for the Imprisonment of Sir Edward Warner.

On Wednesday the 3^d day of February, the Bill to revive the Statute made for putting down of Grigg Mills, was read the second time, and (as it should seem) committed to Mr. Chichester, and others not named; Vide a like President on Thursday the 21th day of January foregoing.

Thomas Dring Burgess of Petersfield in the County of Southampton, was Licenced upon the Death of his Uncle, to be absent for ten dayes.

Five other Bills of no great moment, had each of them one reading; of which one being the Bill against carrying over Sea of Pelts and Sheep Skins, not Staple Ware, was read the third time and passed; And another being for Robbing of Ponds, and Stealing of Fish and Conies to be Felony, was read the third time, and (as it should seem) committed to Mr. Comptroller and others not named; Vide consimile on Tuesday the 21th day of January foregoing.

On Thursday the 4th of February, Three Bills of no great moment, had each of them one reading; of which the third being the Bill touching Badgers, and Carriers of Corn, was read the second time; and (as it should seem) committed to Mr. Recorder and others not named.

Christopher Hillyer, Burgess for Heydon in York-shire,

shire, upon the sickness of his Wife, was Licensed to be absent.

On *Friday* the 5th day of *February*, Two Bills of no great moment, had each of them one reading; of which the second being the Bill for repairing of *Waltersey* Bank in the Isle of *Ely*, was read the second time, and (as it should seem) committed to Mr. *North* and others not named; *Vide consimile* on *Thursday* the 21th day of *January* foregoing.

Sir *Henry Jones* complained, that all his Servants were Imprisoned, and prayed Privilege; and after long Arguments for the Privilege, Commission was given to Mr. *Sackvill*, and others, to examine and certify of the matter.

On *Saturday* the 6th day of *February*, the new Bill for setting up of *Grigg* Mills, betwixt *Plime* and *Dart*, was read the first time.

A motion was made by Mr *Winter*, that the House would have regard by some Bill to the Navy; And thereupon the matter, as it should seem, was referr'd to the said Mr *Winter*, and others, whose names through the negligence of *Seymour* Esq; at this time Clerk of the House of Commons, are here, as in all other places of this Journal, omitted.

The Bill for a Subsidy of Lands and Goods, and two Fifteens, was read the first time.

On *Monday* the 8th day of *February*, the new Bill against Servants robbing their Masters, and Buggery to be Felony, was read the first time.

Mr *Sidney* and Mr *Mason* declared, that upon Examination the Fray seemed to be begun by Sir *Henry Jones* his Servants; *Vide* touching this business on *Friday* the 12th day of this Instant *February* following.

On *Tuesday* the 9th day of *February*, the Bill for the Subsidy of Lands and Goods, and two Fifteens and Tenths, was read the second time; but there is no mention made of any thing spoken to it, or the referring of it to Committees, or Ordering of it to be ingrossed, because (as may be conjectured) the Subsidy Bill, being commonly of a great length, the Forenoon was far spent by that time it was read through; and therefore the Arguments upon it were deferred till to Morrow; in which much dispute growing touching the Oath of the Assessors, it was again agitated in the House on *Friday* the 12th day, and on *Saturday* the 13th of this instant *February* ensuing; when it was Ordered to be ingrossed, and was lastly, on *Friday* the 19th day of the same Month, read the third time, and passed the House.

On *Wednesday* the 10th day of *February*, Two Bills had each of them one reading; of which the first being the Bill for Servants robbing of their Masters, and touching Buggery, was read the second time, and Ordered to be engrossed.

Thomas Walwin Gent., *John Rice* Yeoman, *Owen Rice*, *Rice ap Richard*, and *Griffith Lewes*, and *John ap John*, Servants to Sir *Henry Jones* Knight for *Carmarthen*, being Attached in *London* in three Actions of Trespass, at the several Suits of

George Catchmeyde, *William Prime* and *Henry Elmely* Gent., move to have a Writ of Privilege; *Vide plus* concerning this matter on *Friday* the 12th day of this Instant *February* ensuing.

Divers Arguments were this day in the House upon the Bill of Subsidy, and the Oath therein: *Vide* touching this Bill in *fine diei precedentis*.

On *Thursday* the 11th day of *February*, Three Bills of no great moment, had each of them one reading; of which the last being the Bill for Servants robbing their Masters, Buggery, Invocation of evil Spirits, Inchantments, &c. to be Felony, was read the third time, and passed the House.

Mr. Attorney and Mr. Solicitor brought from the Lords a Bill against Forgers of Deeds, which was presently read the first time.

On *Friday* the 12th day of *February*, Three Bills had each of them one reading; of which the third being the Bill for punishment of Forgers of false Deeds and Wills, was read the second time; But no mention is made, that it was either referr'd to Committees, or Ordered to be ingrossed, because it had been formerly sent from the Lords.

The House desired the Privy-Council to require the Queens Majesty, to have in remembrance their Petition, looking for her most Gracious Answer. *Vide* touching this matter on *Thursday* the 28th day of *January* foregoing, as also on *Tuesday* the 16. day of this instant *February* following.

The Committees do certify the House, that Sir *Hen. Jones* his men may be committed to the Serjeant, and that he attend Mr. Recorder, and Mr. *Gargrave*, with the persons before the Lord Chief Justice, to enter with Sureties in Bond of five hundred pound, to appear personally in the Queens Bench, in *Trinity* Term next, to Answer to such things as shall be then objected to them, on the Queens behalf, and so set at Liberty: *Vide* concerning this matter on *Friday* the 5. day, on *Monday* the 8. day, and on *Wednesday* the 10. day of this instant *February* foregoing.

On *Saturday* the 13. day of *February*, Arguments touching the Oath of Assessors in the Subsidy being had, the Bill was Ordered to be engrossed: *Vide plus* on *Tuesday* the 9. day of this instant *February* foregoing.

Two Bills had each of them one reading, of which the latter being the Bill touching levying of Fines for respite of Homage, was read the second time, and rejected.

For that *John Harrington* Esquire, returned Burgefs of *S^t Ives* in *Cornwal*, and also for *Carnarvon* in *Wales*, doth appear for *Carnarvon*, a Writ was required for a Burgefs for *S^t Ives*.

On *Monday* the 15. day of *February*, the new Bill touching Usury, was read the first time.

Three Bills were sent up to the Lords by Mr. Vice-Chamberlain, of which one was the Bill touching Servants robbing their Masters, and Buggery to be Felony.

The Bill against those that extol the Bishop of *Rome*,

Rome, and refuse the Oath of Allegiance, was read the second time, and (as it should seem) committed to Mr. Vice-Chamberlain, and others not named.

Divers Arguments being had upon the Bill for respite of Homage, it was at the last rejected.

On *Tuesday* the 16. day of *February*, Two Bills of no great moment, had each of them one reading; of which the first being the Bill touching Usury, was upon the second reading Ordered to be ingrossed.

Robert Parker Servant to Sir *William Woodhouse* Knight for *Norfolk*, attached in *London* at the Suit of *Thomas Raber Baker* in *Transgr.*, had a Warrant for Priviledge, notwithstanding a judgment given against him.

Mr. Serjeant *Carus* and Mr. Attorney brought from the Lords five Bills for Restitution in Blood of divers persons.

Mr. Comptroller and Mr. Secretary declared from the Queens Highness, that she doubted not, but the grave Heads of this House did right well consider, that she forgot not the Suit of this House for the Succession, the matter being so weighty; nor could forget it: but she willed the young Heads, to take Example of the Antients: *Vide* touching this business on *Saturday* the 16. day, *Monday* the 18. day, *Tuesday* the 19. day, *Tuesday* the 26. day, *Wednesday* the 27. day, and on *Thursday* the 28. day of *January* foregoing; as also on *Friday* the 12. day of this instant *February* preceeding. *Vide April* the 10. *postea*.

On *Wednesday* the 17. day of *February*, Three Bills of no great moment, had each of them one reading; of which the first being the Bill to confirm the Liberties of *Exeter*, was read the second time, and Ordered to be ingrossed.

On *Thursday* the 18. day of *February*, Six Bills had each of them one reading; of which the fifth being the Bill for Confirmation of the Liberties of *Exeter*, was read the third time, and passed the House. And the last being the Bill for punishment of Usury, and unlawful Bargains, was read also the third time, and passed *per Divisionem Domus, viz.* with the Bill a hundred thirty four, and against it ninety.

On *Friday* the 19. day of *February*, Two Bills had each of them one reading; of which the first being the Bill for the Subsidy and two Fifteens, granted by the Temporality, was read the third time, and passed the House; *Vide* touching this Bill on *Tuesday* the 9. day of this Instant *February* foregoing.

Thomas Andrews Esq; Burges for *Sudbury* in *Suffolk*, and *Thomas Eymis* Burges for *Thuske* in the County of *York*, for their weighty affairs have Licence to be absent.

On *Saturday* the 20. day of *February*, Three Bills had each of them one reading; of which the last being the Bill against ingrossing of Wooll, and that Wooll-Winders may buy Wooll, was read the second time, and thereupon rejected.

Three Bills were sent up to the Lords by Mr. Vice-Chamberlain, of which one was for the punishment of Usury, and another for the Subsidy granted by the Temporality.

Four other Bills also had each of them one reading; of which the third being the Bill against those that shall extol the Bishop of *Rome*, or shall refuse the Oath of Allegiance, was read the third time, and passed the House.

Robert Wieth Gent. Burges for *Wiche* in the County of *Worcester*, for his necessary affairs is Licensed to be absent.

On *Monday* the 22. day of *February*, Four Bills of no great moment, had each of them one reading; of which the second being the Bill for the Bowyers of *London*; And the last to raise *Grigg Mills* between *Plime* and *Dart* in *Devonshire*, were each of them read the second time, and Ordered to be ingrossed.

The Bill against those that extol the Bishop of *Rome*, &c. was sent up to the Lords by Mr. Secretary.

William Poughnyll Gent. Burges of *Ludlow* in the County of *Salop*, for his great affairs in the *Marches*, hath Licence to be absent.

On *Tuesday* the 23. day of *February*, Seven Bills of no great moment, had each of them one reading; of which the first being for the avoiding of divers Foreign Wares; The second touching Badgers of Corn; The third for punishment of those that call themselves Egyptians; And the fourth for allowance to Sheriffs for Justices Dyets at the Assizes, were each of them read the second time, and Ordered to be engrossed.

Richard Bertie Esq; one of the Knights of the County of *Lincoln*, for his weighty affairs, was Licensed to be absent.

On *Wednesday* the 24. day of *February*, Four Bills had each of them one reading; of which the first being the new Bill against Clipping, Washing, and Filing of Coins, was read the first time.

On *Thursday* the 25. day of *February*, Six Bills had each of them one reading; of which the third for punishment of Clipping and Washing of money; And the fifth for such as lend their Goods for Apparel; were each of them upon the second reading Ordered to be ingrossed; And the last being the Bill against forging of false Deeds, with Provifoos from this House, was read the third time, and passed.

Post Meridiem.

In the Afternoon six Bills had each of them one reading; of which the first being the Bill for Restitution in Blood of *Anne Thomas*, was read the second time; but no mention is made, that it was either referred to Committees, or Ordered to be ingrossed, because it had been formerly sent from the Lords.

William Undale Esq; Burges for the Town of *Southampton*, was for his necessary affairs Licensed to be absent.

On *Friday* the 26th day of *February*, the Bill for

for dressed Flax, and the Bill touching Originals of Fines imbezelled, were each of them read the second time, and Ordered to be ingrossed.

Four other Bills also had each of them one reading; of which one was the Bill that *S^t Katherines Church* shall be a Parish Church, and a School Erected.

The Bill for Clipping and Washing of money, and the Bill against Sale of Wares for Apparel to persons under Land or Fees, &c. were each of them read the third time, and passed the House; And the last, being for having *Grigg Mills* between *Plime* and *Dart* in *Devonshire*, was upon the third reading dashed by the division of the House; viz. with the Bill forty seven, and against the Bill eighty four.

On *Saturday* the 27th day of *February*, Sir *Robert Wingfield*, one of the Knights for the County of *Suffolk*, for his affairs at the Assizes, was Licensed to be absent.

The Bill for further punishment of Vagabonds, calling themselves Egyptians, and the Bill for allowance to Sheriffs for Justices Dyets, were each of them read the third time, and passed the House.

Six Bills were sent up to the Lords by Mr Secretary, with the Bill of the Subsidy amended, of which one was touching the punishment of Vagabonds, and another for Clipping and washing of money.

Three Bills lastly had each of them one reading; of which one being the Bill to add *de circumstantibus* to the Juries in *Wales*, and Counties Palatine of *Lancaster* and *Chester*, was read the third time, and passed the House.

On *Monday* the first day of *March*, Two Bills had each of them their first reading; of which the second being against Purveyors, was (as it should seem) referr'd to Mr Vice-Chamberlain, to consider of it.

Arguments being had in the House to the Proviso for Hunting of Conies, that eat other mens Corn, was (as it seemeth) referr'd to Mr Vice-Chamberlain and others not named.

Griffin Curtis Esq; Burgess for the Burrough of *Ludgershall* in *Wilts*, for his Affairs at the Assizes, was Licensed to depart.

John Cheney Esq; one of the Knights for the County of *Berks*, hath also Licence for his Affairs.

On *Tuesday* the 2^d day of *March*, Two Bills had each of them one reading; of which the second being the Bill touching Badgers of Corn, was read the third time, and passed the House.

Mr Dr *Read*, and Mr Dr *Huick*, brought from the Lords the Bill for the Restitution in Blood of the Children of the Lord *Hussey*; And the Bill for the Restitution in Blood of the Children of Archbishop *Cranmer*.

Long Arguments being had to the Bill for the encrease of the Navy, and Fish-Days; and a Proviso brought in by Mr Secretary, the Bill was Ordered to be ingrossed.

On *Wednesday* the 3^d day of *March*, the Bill

for the Orders and Wages of Servants of Husbandry, and Artificers, was read the first time; and (as it should seem) committed to Mr *Crofts* to consider of it.

On *Thursday* the 4th day of *March*, Sir *Thomas Gargrave* Knight, one of the Knights for the County of *York*, for great Affairs with the rest of the Council in the North parts, was Licensed to depart.

Mr *Richard Baker* and *Leonard* Esq; with their Council learned, required that a Proviso may be for them put to the Bill for the restitution in Blood of the Sons of *Henry Ifeley* Attainted of Treason.

William and *Edward Ifeley*, with their learned Council, require, that considering the Bill doth restore them towards the Lands but to such Title as they had before, that that State may continue unto them; *Vide* touching this matter on the day following.

The Queens Serjeant and Mr Attorney, brought from the Lords two Bills, of which one being the Bill touching the Oath with four Provisoes added by the Lords, the same Provisoes were read the first and second time.

Post Meridiem.

In the Afternoon, Two Bills had each of them one reading; of which the second being the Bill that *S^t Katherines* shall be a Parish Church, and a School there, was read the second time, and Ordered to be ingrossed.

Seven other Bills had each of them one reading; of which one being the Bill that the Bible and Book of Service may be in the Welch Tongue, And another that Sanctuary shall not serve for Debt, were each of them read the second time, and Ordered to be ingrossed.

On *Friday* the 5th day of *March*, Six Bills had each of them one reading; of which the second being the Bill for avoiding of divers Foreign Wares, made by Artificers beyond the Seas, was read the third time, and passed the House.

The Parties on both sides for Mr *Ifely's* Bill, require that it might proceed in form; for they be both agreed, that Mr *Ifely* after this Bill pass, shall release to Mr *Richard Baker*, and Mr *Leonard*, all their right, title, interest and demand in such Lands, as the said *Baker* and *Leonard* severally have, late Sir *Henry Ifeley's*, Father to the said *William* and *Edward Ifeley*; *Vide* touching this business on the day foregoing. The Bill lastly, for restitution in Blood of *William* and *Edward Ifeley*; And the Bill for restitution in Blood of *Thomas Brook* alias *Cobham* and others, were each of them read the second time; but no mention is made, that they were Ordered to be ingrossed, or referred to Committees; because they had been formerly sent from the Lords.

On *Saturday* the 6th day of *March*, the Bill for the punishment of Perjury and false Witnesses, was read the second time, and Ordered to be ingrossed.

The

The three Bills last past, of which one was for avoiding of Foreign Wares, were sent up to the Lords by Mr Secretary, with twelve more.

The Queens Serjeant brought from the Lords the Bill of Subsidy of the Clergy; And the Bill for restitution in Blood of *Ed. Turner*.

The Bill also for continuance of Statutes for the mending of High-ways, was read the second time, and Ordered to be ingrossed.

Post Meridiem.

In the Afternoon twelve Bills had each of them one reading, of which the first being the Bill for restitution in Blood of *Edward Turner*; And the second for restitution in Blood of *Sir Ralph Chamberlain*, and *John Hurleston*, had each of them their second reading, but neither committed nor ordered to be ingrossed, because they had been formerly sent from the Lords.

John Eire Esquire, one of the Knights of the County of *Wilts*, for his Affairs is Licensed to be absent.

On *Monday* the 8th day of *March*, Three Bills had each of them one reading; of which the first being the Bill that *S^t Katherines Church* shall be a Parish Church; And the second for the repairing and mending of High-ways, were read the third time, and passed the House; and were sent up to the Lords by Mr Comptroller.

Mr Attorney brought from the Lords three Bills, of which one was the Bill for Denizens Children.

The Bill also against the unlawful taking of Fish, Deer, or Hawks, was read the third time, and passed.

Post Meridiem.

In the Afternoon eight Bills had each of them one reading; of which one was the Bill for the Subsidy of the Clergy.

Richard Parrott Gent. Burgefs for *Sandwich*, for his Sickness was Licensed to be absent.

On *Tuesday* the 9. day of *March*, Two Bills had each of them one reading; of which the first being the Bill touching the Lord Keeper of the Great Seal, was read the second time; but no mention is made, that it was either referred to Committees, or Ordered to be ingrossed; because it had been formerly sent from the Lords.

Four other Bills also were each of them read the third time; of which one being the Bill for restitution in Blood of *Anne Thomas*; Another for restitution in Blood of *Edward Turner*; And a third for restitution in Blood of *Thomas Cranmer*, and *Margaret*, Children of the Archbishop *Cranmer*, did each of them pass the House.

Post Meridiem.

In the Afternoon eight Bills had each of them one reading; of which the fifth being the Bill

for the paving of *Kentish-street*, near *Southwark*, was read the second time, and (as it should seem) committed to Mr *Grafton* and others not named; *Vide consimile* on *Thursday* the 21. day of *January* foregoing.

Long Arguments were this day had in the House, upon the Bill for having *Wednesday* to be a Fish-Day; *Vide* touching this business on *Thursday* the 11. day of this instant *March* following.

On *Wednesday* the 10. day of *March*, the Bill for restitution in Blood of *William* and *Edward Iseley*; The Bill for restitution in Blood of *Thomas Cobham*; The Bill to make Denizens the Children of *John Fitz-Williams* and others; And the Bill for the restitution in Blood of the Heirs of the Lord *Hussey*, were each of them read the third time, and passed the House.

The Bill that Merchants shall not marry Strangers beyond the Seas, was read the first time.

The Bill that the Lord Keeper of the Great Seal hath the like Power as the Lord Chancellor; And the Bill for the restitution in Blood of the Daughters of *Thomas Iseley*, were each of them read the third time, and passed.

Mr Solicitor brought from the Lords the Bill for the restitution in Blood of *Sir Peter Carew* and *William West*. Long Arguments upon the Bill for having the *Wednesday* to be a Fish-Day, were continued till the Morrow after.

On *Thursday* the 11. day of *March*, Three Bills had each of them one reading; of which the third being the Bill for the Subsidy of the Clergy, was read the third time and passed, and was sent up to the Lords by Mr Secretary, together with the Lord Keepers Bill, and the Bill for Fish, Deer and Hawks.

Long Arguments were had upon the Bill for encrease of the Navy, whether the *Wednesday* shall be a Fish-Day, and upon the Question the House was divided; and to have it a Fish-Day were a hundred fifty nine, and not to have it a Fish-Day were ninety six; And immediately after, upon the qualification of that day, the greater number agreed to the qualification: *Vide* touching this matter on *Tuesday* the 9. day, and on *Wednesday* the 10. day of this instant *March* foregoing.

George Cope Burgefs of *Ludgershall* in *Wilts*, for his affairs at the Assizes, hath Licence to be absent.

On *Friday* the 12. day of *March*, the Bill touching Consecration of Bishops, was read the second time, and Ordered to be ingrossed.

Four other Bills also had each of them one reading; of which one being the Bill for the Inning of *Plumsted-Marsh*, now surrounded, was read the third time, and passed the House.

On *Saturday* the 13th day of *March*, the Bill for the restitution in Blood of *Leonard Diggs*, and *Thomas Diggs*, and the Bill for restitution in Blood of *Sir Ralph Chamberlain* Knight, and *John Hurleston*, were each of them

them read the third time, and passed.

The Bill against Conjurations, was brought from the Lords by Mr Solicitor.

Post Meridiem.

In the Afternoon six Bills of no great moment, had each of them one reading; of which the first being the Bill for increase of Woods and Champaign Grounds, was read the second time, and (as it should seem) committed to Mr Marsh, and others not named.

On Monday the 15th day of March, the Bill against fulling of Caps in Mills was read the second time; but no mention is made, that it was either committed or Ordered to be ingrossed, because it had been formerly sent from the Lords.

George Lee Esq; one of the Burgesses for Rippon in Yorkshire, and Elice Price, one of the Knights for Merionethshire in Wales, for their affairs were Licensed to be absent.

Three Bills were sent up to the Lords by Mr Vice-Chamberlain; of which one was the Bill for Inning of Plumsted-Marsh.

The Proviso added to the Bill for increase of Navigation, were read the third time, and passed.

Mr Serjeant Carns and Mr Attorney, brought from the Lords the Bill for Enrolment of Bargains in Lancaster, with a Proviso in Exeter Bill.

On Tuesday the 16th day of March, the Bill for the Enrolment of Writings Indented at Lancaster, Chester and Duresm, and a Proviso added to the Bill of Exeter, were each of them read the first time.

The Bill for the Navy, and the Bill for restitution in Blood of Mr West, were sent up to the Lords by Mr Secretary; and the Bill for Southampton, and the Bill for Bowyers, were sent from the Lords by Mr Comptroller.

Post Meridiem.

In the Afternoon six Bills had each of them one reading; of which the first being the Bill for unlading of Malmesies and Sweet Wines at Southampton, was read the first time.

On Wednesday the 17th day of March, the Proviso to the Bill of Exeter, was read the third time, and passed.

Mr Sackvil declared from the Queens Majesty, that she would take Order to make allowance for Justices Diets; and that Commissioners should be sent to enquire of Vicountels that may be levied, and the rest, Order should be taken for the discharge thereof.

Michael Poultny Esquire, Burgess for Lichfeild, Robert Buckstones, Burgess for Horsam in Suffex, and Henry Green Citizen for the City of Hereford, were for their several affairs Licensed to be absent.

On Thursday the 18th day of March, the Pro-

vifo to the Bill of Bowyers, was read the third time, and passed the House.

The Bill against phantastical Prophecies, The Bill for punishment of Witchcrafts, And the Bill against wilful Perjury, were each of them read the third time, and passed.

Post Meridiem.

In the Afternoon, the Bill for the uniting of Churches by the Bishop, so that the value be not above 24^l of the Churches united, with two others, were each of them read the first time.

On Friday the 19th day of March, Three Bills had each of them one reading; of which the first being the Bill for punishment of Invocations of evil Spirits; And the last, That Fines or Recoveries, with Voucher, though the Original be imbezelled, shall be good, were each of them read the third time, and passed the House.

On Saturday the 20th day of March, the Bill for continuance of Statutes to endure for ever, was read the second time, and (as it should seem) committed to Mr Clare, and others not named; And the Bill against Bankrupts being read also the second time, was (as may be gathered) committed to Mr Marsh and others not named. *Vide consimile* on Thursday the 21th day of January foregoing.

Mr Serjeant Carns, and Mr Solicitor, brought from the Lords the Bill against Washing and Clipping of money; The Bill touching Leases made by Viscount Bindon and his Wife, with two others.

Six Bills were sent up to the Lords by Mr Vice-Chamberlain, of which one was for the punishment of Witchcraft, and another touching Fines and Recoveries, with Voucher, &c. with two others of no great moment; and immediately the Bill, that Clipping or Washing of money shall be Treason; The Bill for preservation of Woods in Suffex, were each of them read the first time.

John Gardner Gent. Burgess for Dorchester in Dorset, was for his affairs Licensed to be absent.

Post Meridiem.

In the Afternoon the Bill for the relief of the poor, And the Bill for the uniting of Parish Churches in Cities and Corporate Towns, to the value of 24^l, were each of them read the second time.

John Darrington Esq; one of the Knights for the County of Huntington, is for his affairs, Licensed to be absent.

On Monday the 22th day of March, Two Bills had each of them one reading; of which the first being the Bill that Clipping and Washing of Monies shall be Treason, was read the second time; but not committed nor ingrossed, because it had been formerly sent from the Lords.

It was Ordered, that William Gerrard, a necessary

fary Witnes for Mr *Pledal*, as he saith, may be served by the Serjeant, to attend Mr. *Haddon* at the rising of the House; one of the Committees with the Master of the Rolls, Mr. Recorder and Sir *William Arnold* and Mr. *Norton*, discharged of this Examination. *Vide plus* on *Saturday* the 10th day of *April* ensuing.

Post Meridiem.

In the Afternoon four Bills of no great moment had each of them one reading; of which the third being the Bill for the paving of *Kentish-street*, was upon the second reading Ordered to be ingrossed.

John Dorrington Esq; Knight for *Huntington*, *Humphrey Quarnby* Burgess for *Nottingham*, *William Dawtrye* Knight for *Suffex*, *Simon Thellwall* Knight for *Denbigh*, for their severall necessary affairs, were Licensed to be absent.

Three Bills lastly had each of them their first reading; of which the first was the Bill touching Demurrers in Law.

On *Tuesday* the 23th day of *March*, Two Bills had each of them one reading; of which the first being the Bill that Clipping and Washing of money, shall be Felony, was read the third time, and passed the House.

The Bill for encrease of Tillage, was brought from the Lords by Mr Serjeant *Carus*.

Post Meridiem.

In the Afternoon Six Bills had each of them one reading; of which the first being the Bill touching Leases to be made by the Lord *Thomas Howard* Viscount *Bindon*, and his Wife; And the second, that *Henry Howard* Esq; shall not discontinue Lands that shall descend, were each of them read the second time; but no mention is made, that they were either Ordered to be ingrossed, or referred to Committees, because they had been formerly sent from the Lords.

On *Wednesday* the 24th day of *March*, Two Bills had each of them their second reading; of which the latter, being the Bill for Assignment of forty thousand twenty seven pound four shillings and two pence half penny, to the Expenses of the Queens Household; which Bill, notwithstanding that it had passed the Upper House, and been sent down from the Lords to the House of Commons, on *Wednesday* the 17th day of this instant *March* foregoing, yet it was committed, or at least referred to Mr Vice-Chamberlain, being an Officer of her Majesties said Household, to be further considered of; and was lastly passed in the House of Commons, upon the third reading on *Saturday* the third day of *April* ensuing; and was then immediately returned back to the Lords by Mr Comptroller.

Two Bills were each of them read the third time, of which one being the Bill for Fulling of Caps, by foot and hand, was dashed upon the Question.

Morris William Knight for the County of *Car-narvon*, for his weighty affairs, was Licensed to be absent.

On *Thursday* the 25th day of *March*, Three Bills had each of them one reading; of which the first being the Bill that the Lord *Abergavenny* may make Leases for twenty Years, or three Lives; And the second, that *Henry Howard* Esq; shall not discontinue Lands descending to him, were each of them read the third time, and passed.

And the third being the Bill for the Annuity of six pound thirteen shillings and four pence, out of *Wandleworth* in *Surrey*, being the Archbishop of *York*s Lands, to the School of *Guildford*, was read the third time; but (it should seem) the House did desire to consider further of this Bill; and thereupon passed it not at this time, but gave it a fourth reading, on *Tuesday* the 30th day of this instant *March* ensuing; and then it passed the House.

Post Meridiem.

In the Afternoon four Bills had each of them one reading; of which the second being the Bill for payment of Alneagers Fees, for Sealing Cloaths in *Lancashire*, was read the second time, and Ordered to be ingrossed.

On *Friday* the 26th day of *March*, Three Bills had each of them one reading; of which the last being that the Lord *Howard*, and the Lady *Elizabeth* his Wife, may make Leases, &c. was read the third time, and passed.

On *Saturday* the 27th day of *March*, Three Bills had each of them one reading; of which the first being the Bill that the Bible and the Divine Service may be translated into the Welch Tongue, was read the third time, and passed the House.

The Bill touching Worsted Woolls, and the Bill against Servants imbezelling their Masters Goods, were brought from the Lords by Mr Serjeant *Carus*.

Post Meridiem.

In the Afternoon the Bill that the Inhabitants of *Norfolk* and *Suffolk*, may sell again course Woolls, was read the first time; And the Proviso also from the Lords to the Bill for Deer and Hawks, was read the first time.

Five Bills also had each of them one reading; of which one being for Killing of Crows was committed, as it should seem, to Mr. *Ashley*; Another to avoid Nets for Fishing in the *Thames*, was read the second time, and committed to Mr. *Cure*; And the last touching the Assize of Barrels, was upon the second reading, committed to Mr. *Grafton*, and others not named.

On *Monday* the 29th day of *March*, the Proviso to the Bill for Stealing of Deer, &c. was read the first time; and three other Bills being of no great moment, were each of them read

the second time ; of which one was the Bill for encrease of Tillage.

The Bill *de Excommunicato capiendo*, and the Bill for the making of Goals, were brought from the Lords by Mr. Attorney.

Post Meridiem.

In the Afternoon four Bills had each of them their first reading; of which the last was the Bill touching Tanners, Shoemakers, and other Artificers occupying Leather.

On *Tuesday* the 30th day of *March*, the Bill to continue the Act for making of Goals, was read the second time ; but no mention is made, that it was either Ordered to be ingrossed, or referred to Committees ; because it had been formerly sent from the Lords.

The Bill also for the School-House at *Guildford*, was read the fourth time, and passed the House.

Nota, That here a Bill was read the fourth time, before it passed the House (having had its third reading on *Thursday* the 25th day of this instant *March* foregoing) of which, though there want not other Presidents, yet it is rare and worth the observation.

Six Bills were sent up to the Lords by Mr. Secretary, and others, of which one was the last mentioned Bill, touching the School-House at *Guildford*.

The Master of the Rolls with other Committees in the Cause of Forgery suspected upon *Pledall*, declared great and vehement suspicion to be in *Pledall*; and where *Pledall* by the Committees, was Commanded not to speak with the person of *Monkton Farley*, he notwithstanding sent for him, and spake with him in the night, which person is likewise suspected ; whereupon *Pledall* said, he did not remember any such Commandment ; and thereupon Order was taken, that the Committees should put their doings in this Case in Writing, and send them to the House this Afternoon, and that they should be read to *Pledall*; and he to Answer them, either by word or writing. *Vide* touching this matter on *Saturday* the 10th day of *April* ensuing.

Post Meridiem.

In the Afternoon two Bills had each of them one reading ; of which the second being that the Lord Chancellor may direct Commissions to the Bishop, for increase of the Living of Ministers, &c. was read the first time.

On *Wednesday* the last day of *March*, the Proviso to the Bill against Stealing of Fish, Deer and Hawks, was read the third time, and passed ; And the Bill that Sweet-Wines bought by Strangers, shall be brought to *Southampton*, was read the third time, and passed.

On *Thursday* the first day of *April*, Four Bills had each of them one reading ; of which the second touching Enrollments of Deeds in *Lanca-*

ster, And the last for the relief of the Poor, were each of them read the third time, and passed.

Post Meridiem.

In the Afternoon the Bill for sale of course Wools in *Norfolk* and *Suffolk*, was read the second time ; but neither Committed nor Ordered to be ingrossed, because it had been formerly sent from the Lords.

On *Friday* the 2^d day of *April*, the Bill for Artificers, Labourers, &c. was read the second time, and Ordered to be engrossed.

On *Saturday* the 3^d day of *April*, Four Bills were sent up to the Lords, by Mr. Vice-Chamberlain ; of which one was the Bill for the relief of the Poor.

The Bill for the Assignment of forty thousand twenty seven pound four shillings and two pence half penny, to the Queens Household, with three Proviso's from this House, was read the third time and passed ; and sent to the Lords by Mr. Comptroller.

Post Meridiem.

In the Afternoon three Bills had each of them one reading ; of which the second being the Bill for taking and destroying of Crows, Rooks, &c. was read the first time.

On *Monday* the 5th day of *April*, Mr. Serjeant *Carus*, and Mr. Solicitor, brought from the Lords the Bill for *Wales*.

The Bill touching Tanners, Curriers and Shoemakers, was read the third time and passed, and sent to the Lords by Mr. Secretary ; together with the Bill for Restitution in Blood of *William Isely*.

The Bill to avoid fraudulent Gifts, by any Convicted of Premunire, was read the third time, and dashed by the division of the House, viz. against the Bill eighty nine, and with the Bill sixty three.

Post Meridiem.

A Proviso to the Bill for *Wales*, was read the first, second and third time, and thereupon passed the House.

The Bill to revive the Statute against Servants imbezelling their Masters Goods, was read the third time, and passed the House.

The Bill lastly, that Cloathiers for every Cloth of Woollen, or thirty Kerfies, shall make a piece of Linnen-Cloth, of twenty Yards long, was read the second time, and (as it should seem) committed to Mr. *Norton*, and others not named.

On *Tuesday* the 6th day of *April*, the Bill to avoid fraudulent Gifts, and the Bill against Servants embezelling their Masters Goods, were sent up to the Lords by Sir *Anthony Coke*.

Three Bills also had each of them their third reading, and passed the House ; of which the first

first being the Bill touching Artificers, Servants of Husbandry, Labourers and Apprentices, was sent up to the Lords by Mr. Comptroller.

Post Meridiem.

In the Afternoon the Bill for the Order of Bankrupts and their Goods, Chattels, Lands and Tenements, was read the third time, and passed the House.

On *Wednesday* the 7th day of *April*, Two Bills had each of them one reading; of which the first being the Bill that the Alneager of *Lancaster* shall Seal the Cloaths there made, was read the third time, and passed the House; and was with two others, sent up to the Lords by Mr. Secretary.

Post Meridiem.

In the Afternoon three Bills of no great moment, had each of them one reading; of which the first being the Bill for encrease of Tillage, and reedifying of decayed Houses of Husbandry, was read the third time, and passed the House.

On *Thursday* the 8th day of *April*, the Bill touching Hat-makers, and Felt-makers, to buy Spanish Wooll; And the Bill to avoid the dressed Flax brought out of *Flanders*, were each of them read the third time, and passed the House; and were with two others, sent up to the Lords by Mr. Secretary.

The Bill for destruction of Crows, Rooks, &c. and other such Vermine, was read the second time, and Ordered to be ingrossed.

The Bill also for paving of *Kentish-Street* near *Southwark*; And the Bill that Sanctuary shall not be allowable for Debt, were each of them read the third time, and passed the House; and were sent to the Lords by Mr. Vice-Chamberlain.

Post Meridiem.

In the Afternoon a Proviso to the Bill for repairing of Goals, and a Proviso to the Bill *de Excommunicato capiendo*, were each of them read the first and second time.

On *Friday* the 9th day of *April*, the Proviso added to the Bill *de Excommunicat. capiend.* was read the third time, and passed the House.

The Bill also for destruction of Rooks, Crows and Coughs, and such other Vermine, was read the third time, and passed the House; and immediately sent up to the Lords by Mr. Vice-Chamberlain.

The new Bill for uniting of Churches in Boroughs or Towns, being under the value of twenty Marks, was read the first time; And the Proviso lastly of this House to the Bill for repairing of Goals, was read the third time, and passed.

On *Saturday* the 10th day of *April*, It was Ordered that Mr. *Pleddall* shall have the Copies

of such Examinations and Writings, as have been certified into this House, by the Master of the Rolls and other Committees; and also that Mr. *Francis Newdigate* may have like Copies; And that such Evidence, as Mr. *Pleddall* hath delivered to the Committees hands, may remain under their Seals, and Mr. *Pleddall's* Seal in the keeping of the Officer of the Rolls, that useth to keep the Evidences there. *Vide* concerning this matter on *Monday* the 22th day, and on *Tuesday* the 30th day of *March* foregoing.

The Bill for repairing of Goals was sent up to the Lords, by Mr. Vice-Chamberlain.

The Queens Majesties free and general Pardon, Signed with her Graces Hand, was brought from the Lords, by Mr. Attorney, and Mr. Solicitor, and immediately read the third time, and passed.

Nota, That this Bill touching her Majesties Pardon, passed upon the first reading; whereas other Bills do never pass till after the third.

A Proviso sent down to the House of Commons from the Lords, touching the Bill of Bankrupts; And the addition to the Bill concerning Purveyors, were read the first, second and third time, and passed the House.

In the Afternoon about three of the Clock, the Queens Majesty sitting in her Royal Seat, Mr. Speaker made an Excellent Oration, rehearsing divers Laws made by divers Queens of this Realm, and requiring the Queen to Assent to the Acts past both Houses, and presented to her Majesty the Book of Subsidy, and the Book of the general Pardon, with most humble thanks for the same. And the Lord Keeper, by the Queens Commandment, gave great thanks unto the Nobility and Commons, and earnestly required them severally in their Countries, to look that the Laws might be Executed. And touching the Succession, the Queen Commanded the Lord Keeper to declare her Highness device thereof; the effect and conclusion whereof was, that for the great weight of the matter, her Majesty minded to take further advice: *Vide plus* concerning this matter of Succession on *Thursday* the 28. day of *January*, and on *Tuesday* the 16. day of *February* foregoing.

Then were the several Titles of the Acts read, and thirty one publick Statutes, and seventeen private, were made Laws by her Majesties Royal Assent. And then this Parliament was Prorogued until the second day of *October* next.

At which second day of *October*, for that the Plague was great in *London* and *Westminster*; The Queens Majesties Letters Patents of Commission, were directed to the Lord Treasurer of *England*, and other Bishops, and Lords of the Upper House, to Prorogue this Parliament unto the fifth day of *October*, 1564. which was done accordingly in the presence of the said Lords, and a few of the House of Commons, Mr. Speaker not being there.

At which fifth day of *October*, this Parliament was further Prorogued by the Queens Majesties Commission Patent, unto the 30. day of *April*, then next ensuing, M^r Speaker not being there.

At which 30. day of *April*, It was then further Prorogued unto the 4. day of *October* then next following, M^r Speaker not being there.

At which fourth day of *October*, *Anno Domini 1565. Anno Septimo Regina Elizabeth.* It was then further Prorogued unto the 7. day of *February* then next following, M^r Speaker not being there.

At which 7. day of *Feb. 1565. & Anno Elizabethae Reginae Octavo*, It was then further Prorogued unto the 30. day of *Sept.* then next following.

THE

THE JOURNAL OF THE House of LORDS.

A Journal of the Proceedings of the House of Lords in the Session of Parliament bolden at Westminster, An. 8th Regin. Eliz. A. D. 1566. which began there (after divers Prorogations of the same) on Monday the 30th of September, and then and there continued until the Dissolution thereof on Thursday the 2^d day of Jan. Ann. 9 Regin. ejusdem.

THIS Parliament *de An. 8 Regin. Eliz.* being in Law but one and the same with that held in *an. 5 Reginæ ejusdem, An. Dom. 1563.* although not Assembled till about three Years after, was in the mean time never Dissolved, but only Prorogued from time to time by six several Prorogations, whereof the two first falling out in the said fifth Year of the Queen, are there mentioned as most properly belonging to the first Session of this Parliament (although the latter of them be entred at large in the Journal-Book *de an. 8 Regin. Eliz.*) and the four last of the said six Prorogations do all here follow before the beginning of this Journal of Parliament of the passages of the Upper House (being full of excellent and rare matter) as necessary matter of preparation unto it, being in Law (as hath been observed) but the second Session of that former Parliament Assembled in *An. 5 Regin. Eliz. predictæ*, whereof those two former Prorogations (as they do at large appear in the end of the Journal of the Upper House of that fifth year of the Queen) were the first of them from *Saturday the 10th day of April*, on which day that said first Session of this Parliament ended in that fifth year aforesaid, to the second day of *October* next ensuing, *de an. 5. Reginæ ejusdem*; and the second Prorogation of those foresaid two former, was from the said second day of *October* in the said fifth Year of the Queen, to the 5th day of *October*, which should be in *an. 6 Regin. Eliz. An. Dom. 1564.* upon which foresaid 5th day of *October* in *an. 6 Regin. supradictæ, Annoq; Dom. 1564.* Prorogatum fuit ulterius prædictum Parliamentum modo & forma sequentibus.

Memorandum quod quinto die Octobris Anno Regni Elizabethæ Dei gratiâ Angliæ, Franciæ & Hiberniæ Reginæ, fidei defensor. &c. Sexto, in quem diem præfens hoc Parliamentum Prorogatum fuerat, convenerunt Domini tam spirituales quam Temporales, quorum nomina subsequuntur.

Archiepiscopus Cantuarien., Marchio Winton. Thesaurarius, Comes Suffex, Comes Huntington, Episcopus London., Episcopus Roffen., Dominus Clinton Admirallus, Dominus Howard Camerarius, Dominus Cobham, Dominus Hunsdon.

Qui cum convenissent una cum populi atq; Burgensium, ut vocant, satis magna frequentia, prædictus Archiepiscopus Cantuarien. paucis verbis declaravit conventum Procerum & populi, quem Parliamentum vocant, in hunc diem destinatum, à dictâ domina Regina, certis quibusdam de causis & considerationibus illam ad id specialiter moven. differri in tricesimum diem Aprilis prox. futurum; atq; ut tam proceribus quam populo palam fieret Regiam Majestatem ita constituisse, Literas Commissorias dict. Domine Regine Francisco Spilman Armig. Clerico Parliamenti publicè & clarâ voce legendas in manus tradidit, Earum autem Tenor sequitur in hæc verba.

Elizabetha Dei gratiâ Angliæ, Franciæ & Hiberniæ Regina, fidei defensor, &c. Reverendissimo in Christo Patri, Matheo Cantuarien. Archiepiscopo totius Angliæ Primate & Metropolitano, ac Charissimo Consanguineo & Consiliario suo Willielmo Marchioni Winton. Thesaurario Angliæ, nec non charissimis consanguineis suis Thomæ Comiti Suffex, Henrico Comiti Huntingdon, Reverendis in Christo patribus Edmundo Episcopo London., Edmundo Episcopo Roffen., ac etiam prædilectis & fidelibus consiliariis suis Edwardo Domino Clinton, magno Admirallo

Admirallo suo Angliæ, Willielmo Domino Howard de Effingham Domino Camerario suo, ac prædilectis & fidelibus suis Willielmo Domino Cobham Gardiano sive Custodi quinq; portuum suorum, ac Henrico Domino Hunsdon, salutem. Cum nuper pro quibusdam arduis & urgentibus negotiis, nos, statum & defensionem Regni nostri Angliæ ac Ecclesiæ Anglicanæ concernen., præsens hoc Parliamentum nostrum apud Civitat. nostram Westmonasterii duodecimo die Januarii Anno regni nostri Quinto inchoari & teneri ordinaverimus, à quo die idem Parliamentum nostrum tunc & ibidem tent. & continuat. fuerat usq; decimum diem Aprilis tunc prox. sequen. ac post diversas Prorogationes idem Parliamentum nostrum usq; ad & in instantem Quintum diem Octobris Prorogatum, ibidemque tunc tenend. & prosequend. Sciatis tamen quod certis urgentibus causis & considerationibus nos specialiter movern., idem Parliamentum nostrum ulterius Prorogand. duximus; de fidelitate igitur, prudentiâ & circumspectione vestris plurimum confidentes, de avisamento & assensu Concilii nostri, assignavimus vos & tres vestrum, dantes vobis novem, octo, septem, sex, quinque, quatuor, & tribus vestrum tenore præsentium, plenam potestatem, facultatem & auctoritatem, hoc instan. die Jovis ad præsens Parliamentum nostrum nomine nostro, ad & in tricesimum Aprilis prox. futur. usq; prædictam Civitatem nostram Westmonasterii Prorogand., & continuand., ibidemq; tunc tenend. & prosequend.: & ideo vobis mandamus, quod circa præmissa diligenter intendatis, & ea in formâ prædictâ effectualiter expleatis. Damus autem universis & singulis Archiepiscopis, Ducibus, Magnatibus, Comitibus, Vice-Comitibus, Episcopis, Baronibus, Militibus, Civibus & Burgensibus, ac omnibus aliis quorum interest, ad dictum Parliamentum conventur. tenore præsentium firmiter in mandatis, quod vobis in præmissis faciend. pareant, obediant, & intendant, prout decet. In cuius rei testimonium has Literas nostras fieri fecimus Patentes. Teste me ipsâ apud Westmonasterium, Quinto die Octobris, Anno Regni nostri Sexto.

The like Commission, bearing date 30. die Aprilis An. 7 Eliz. was directed unto the Archbishop of Canterbury, the Marquess of Winchester Lord Treasurer, the Duke of Norfolk Earl Marshal of England, the Earl of Arundel, the Earl of Shrewsbury, the Earl of Derby, Thomas Earl of Sussex, the Earl of Huntingdon, the Earl of Pembroke, the Earl of Warwick, and the Earl of Leicester, the Bishop of London, and the Bishop of Rochester, the Lord Cobham, Warden of the Cinque-Ports, the Lord Wentworth, and the Lord Hunsdon, Authorizing them 17, 16, 15, 14, 13, &c. or three of them to Prorogue and continue the Parliament, *ut supra* in the other Commissions, *mutatis mutandis*, unto the 4th day of October next coming. Teste me ipsâ apud Westmonasterium 30 die Aprilis Anno Regni nostri Septimo.

On which 30th day of April, the Lord Treasurer, the Duke of Norfolk, the Earl of Arundel, the Earl of Derby, the Earl of Sussex, the

Earls of Huntingdon, Pembroke, and Warwick, the Bishop of London, the Lord Admiral, the Lord Chamberlain, the Lord Cobham, the Lord Wentworth, and the Lord Hunsdon, did meet in the Parliament Chamber, and in due and accustomed Form did Adjourn the Parliament unto the 4th day of October according to the said Commission last specified; and caused the said Commission to be publickly read by Francis Spilman Esq; Clerk of the Parliament, in hearing of the Commons then also present, according to antient Custom in that behalf.

On the 4th day of October Anno Regni Regine Eliz. Septimo, The like Commission *ut supra*, bearing date the said 4th day of October, directed unto the Archbishop of Canterbury, the Marquess of Winchester Lord Treasurer, the Duke of Norfolk Earl Marshal of England, the Earl of Sussex Chief Justice of all Forrests, &c. on this side Trent, Ambrose Earl of Warwick Master of the Ordnance, the Bishop of London, and the Bishop of Rochester, Edward Lord Clinton great Admiral of England, William Lord Howard of Effingham Lord Chamberlain, Thomas Lord Wentworth, and Henry Lord Hunsdon, authorizing them 10, 9, 8, 7, 6, 5, 4, and 3. *ut antea, mutatis mutandis*, to Prorogue and continue the same Parliament, in Septimum diem Februarii prox. futurum. Teste me ipsâ apud Westmonasterium 4 die Octobris, Anno Regni nostri Septimo. Which Commission was read by the Clerk of the Parliament, in the Parliament Chamber, in presence of ten of the Commissioners, and of the Commons.

Memorandum quod hodie septimo die Februarii, Anno Regni Eliz. Dei gratiâ Angliæ, Franciæ & Hiberniæ Regine fidei defensor. &c. Octavo, in quem diem præsens hoc Parliamentum Prorogatum fuerat, convenerunt Domini tam spirituales quam temporales quorum nomina subsequuntur, viz.

Archiepiscopus Cantuarien., Nicolaus Bacon Miles, Custos magni Sigilli, Marchio Winton. Thesaurar., Dux Norfolk. Comes Marecallus, Marchio North., Comes Sussex, Comes Warwick, Episcopus London., Episcopus Roffen., Dominus Clinton Admirallus, Dominus Howard Camerarius, Dominus Wentworth, & Dominus de Hunsdon.

Qui cum convenissent, unâ cum populi atq; Burgensibus. *ut vocant*, satis magnâ frequentiâ, prædictus Nicolaus Bacon Miles, Dominus Custos magni Sigilli, paucis verbis declaravit conventum Procerum & populi, quem Parliamentum vocant, in hunc diem destinatum, à dictâ Dominâ Reginâ, certis quibusdam de causis & considerationibus illam ad id specialiter movern., differri in 30 diem Septembris prox. futur.

These foregoing Prorogations of this present Session of Parliament, being thus at large, or abstractedly transcribed, now follows in Order the Assembling and Meeting of both Houses in their several places, on Monday the 30th day of September, to which day it had been last Prorogued, so that either House going on where they last left, there was no Meeting in the Upper House at all of both Houses, nor the Queen came
not

not in Person, as she used to do when a new Parliament began, nor hath it ever been used in latter times upon a meer Prorogation; but yet on *Wednesday* the second day of *October* following, by reason of the Choice of a new Speaker in the House of Commons, which was occasioned by the Death of the former, the Queens Majesty came in her accustomed Royalty, as at the beginning of a Parliament is usual, and there admitted of their new Speaker, presented unto her, whom they had Chosen but the day before, by vertue of her Majesties Commission, all which in due Form and Order follows.

On *Monday* the 30. day of *September*, to which day this present Session of Parliament had been last Prorogued, there Assembled in the Upper House according to the usual form and course (as also the Knights, Citizens and Burgeses of the House of Commons did in their own proper place) Sir *Nicholas Bacon* Knight, Lord Keeper of the great Seal of *England*, the Lord Archbishop of *York*, the Lord Marques of *Winchester* Lord Treasurer of *England*, the Duke of *Norfolk* Earl Marshal of *England*, the Marques of *Northampton*, with divers Earls, Viscounts, Bishops and Barons; the particular setting down of whose names is purposely omitted here (although it were the first day of their Assembling together) because they are at large set down on the second day of *October* following, being *Wednesday*; when by reason of her Majesties coming in Person to the Upper House, the presence of the Lords was somewhat greater than upon this instant *Monday*.

Hodie retornatum fuit Breve, quo Edwardus Dominus Stafford ad præsens Parliament. summonitus fuit, qui admissus est ad suum præheminentia locum salvo semper jure superioris sedentis. Consimile pro Henrico Domino Paget. Consimile pro Rogero Domino North. Consimile pro Roberto Comite Leicestria. Consimile pro Henrico Comite Westmorl.

This day Sir *Edward Rogers* Knight, Comptroller of her Highness Household, Sir *Francis Knolles* Knight, her Highness Vice-Chamberlain, Sir *William Cecill* Knight, her Highness Principal Secretary, and Sir *Ambrose Cave* Knight, Chancellor of her Highness Dutchy of *Lancaster*, four Chief Members of the House of Commons, and divers others of that Assembly to the number of twenty persons, being sent up to the Lords from that House upon some urgent and weighty occasions, desired to be admitted into the Upper House, there to make known to their Lordships somewhat wherein they should require their advice, and need their assistance; upon which, being admitted, the said Mr Comptroller, assisted with the Personages and Company aforesaid, did in comely order and discreet modesty, make manifest and known unto the said Lords, that *Thomas Williams* Esquire, their late Speaker in the last Session of this Parliament, in the fifth Year of the Queens Majesty that now is, was bereft from them by Death, which had been openly

and manifestly made known and testified unto them; for remedy of which defection, they humbly prayed their Lordships advice; after which the Lord Keeper, first requiring the said Personages a while to withdraw themselves, and then commending the Order of the matter to the Lords sitting in consultation for the same, it was by them all upon considerate advice therein had, thought fit to signifie unto the said Commons by the Personages aforesaid, that they thought it expedient and good, the said Lord Keeper, the Lord Treasurer of *England*, the Duke his Grace of *Norfolk*, and the Lord Marques of *Northampton*, with the four forecited Personages of the said House of Commons, being also of her Highness most Honourable Privy-Council, should in the name of both of the Assemblies, with all humbleness and due celerity, make intimation of their said Estate, and the Petition thereupon depending, unto her said Highness, to which advice the said House of Commons, upon knowledge had of the same, wholly assented.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Martis primum Octobris.

On *Tuesday* the first day of *October*, the Bill for the making void of fraudulent Gifts and Alienations, was read *primâ vice*.

The Queen, having been moved as it seemeth the day past about the Death of the former Speaker, and the Choice of a new one in the House of Commons, by those eight Right Honourable Personages, who were then and there named to move her Highness in it; did give Order, that this present *Tuesday*, both the Lords and Commons should Assemble, and meet together in the Parliament Chamber. there to receive her Majesties Answer. Where being Assembled, the Lord Keeper shewed forth a Commission from her Highness, under the great Seal of *England*, which was directed unto him only; the tenor whereof is set down at large in the Journal of the House of Commons, *de An. isto 8 Regin. Eliz.* (to which House it properly belonged) *viz.* That in respect *Thomas Williams* Esq; the former Speaker was dead, therefore the Lord Keeper was for her Majesty, and in her Name, to will and Command the Knights, Citizens and Burgeses of the said House of Commons, to resort unto their accustomed place, and there to Elect and chuse amongst themselves, one able and sufficient person, to be their Speaker, for the rest of this present Parliament, yet to come. And after they should have made their Election, that then three or four of them, for, and in all their names, should signifie the same unto her Majesty, and thereupon her Highness would further signifie her pleasure unto them, what day and time they should present him so Elected before her, as it had been used formerly in like Cases to be done.

There was this day no other Bill, or other business agitated in the Upper House; for immediately upon the reading of the last above-mentioned Commission,

Commission, the Continuance of the Parliament is Entred in the Original Journal-Book of the said House, in manner and form following, viz.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; diem Mercurii secundum diem Octobris.

On *Wednesday* the second day of *October*, it seemeth there was no meeting of the Lords, nor any thing done in the Forenoon; neither is any mention made in the foregoing continuance of this Parliament by the Lord Keeper, to what Hour of this *Wednesday* it was continued; which is usual in other continuations of it. But the reason why they met not till the Afternoon, seemeth to be, because then the Queens Majesty herself came thither; to whom *Richard Onslow* Esq; her Majesties Sollicitor, having been Chosen Speaker for the House of Commons the day past, was presented, and admitted by her, in manner and form as followeth.

About three of the Clock in the Afternoon this present *Wednesday*, the second day of *October*, the Queens Majesty took her Barge, and Landed on the back-side of the Parliament-Chamber; and so the Earl of *Northumberland* bearing the Sword, the Lady *Strainge* her Trayn, with the Lords in their daily Apparel, and the Heralds attending on her, she proceeded up into the Privy-Chamber, to prepare her self; during which time the Lords and Justices put on their Parliament Robes, and took their places in manner and form following. In which it is to be noted, that no part of this days passages already set down, is found in the Original Journal-Book of the Upper House; but is either transcribed out of a certain Anonymous memorial I had by me, in which the presentment of the Speaker this day, is somewhat exactly set down, or was supplied by my self, upon the comparing of several things together. Now follow the Names of the Lords and others as aforesaid.

First on the Form on the North-side, together with the Upper Form at the nether end, sate the Bishops as followeth.

Younge Archbishop of *York*.
Grindall Bishop of *London*.
Pilkington Bishop of *Durham*.
Sands Bishop of *Winchester*.
Birkley Bishop of *Bath and Wells*.
Bett. Bishop of *Carlisle*.
Barlow Bishop of *Chichester*.
Alleo Bishop of *Exeter*.
Gest. Bishop of *Rocheſter*.
Skamler Bishop of *Peterburgh*.
Horne Bishop of *Worceſter*.
Bullingham Bishop of *Lincoln*.
Bentam Bishop of *Coventry and Lichfield*.
Denham Bishop of *Cheſter*.
Scorie Bishop of *Hereford*.
Davies Bishop of *St Davids*.
Parkhurſt Bishop of *Normwich*.
Cheyney Bishop of *Glouceſter*.

Nota, That these names with those that follow, being transcribed in a different manner from all others in the residue of the Journals of the Queens time, were so found with the Names of the Lords Spiritual and Temporal added to them, in that before-mentioned Anonymous memorial of this present *Wednesdays* passages, being the second day of *October*; and were therefore transcribed out of it, as is aforesaid, rather than out of the Original Journal-Book of the Upper House; although the Series of them that were present set down there, did serve well to rectifie those foregoing, and these also that next ensue.

At the foremost Form on the South-side, sate these Peers, viz.

William Paulet Marquess of *Winchester*, Lord Treasurer.

Thomas Howard Duke of *Norfolk*, Earl Marshall of *England*.

William Parre Marquess of *Northampton*.

Thomas Peircie Earl of *Northumberland*.

Charles Nevill Earl of *Westmorland*.

George Talbot Earl of *Shrewsbury*.

William Sommerſet alias *Plantagenet* Earl of *Worceſter*.

Thomas Ratcliff Earl of *Suffex*.

Henry Haiſtings Earl of *Huntingdon*.

Edward Seymour Earl of *Hartford*.

Robert Sutton alias *Dudley*, Earl of *Leiceſter*, and Master of the Horſe.

Anthony Brown Viſcount *Mountague*.

Nota, That *Edward de Vere* Earl of *Oxford*, Lord Great Chamberlain of *England*, *Edward Mannors* Earl of *Rutland*, *William Bowrchier* Earl of *Bath*, and *Henry Wriotbeisly* Earl of *Southampton*; were at this time under Age, and in Ward to the Queen; and therefore they were not admitted to take their places in the Uppermost House, but (if they were present) did either stand besides the upper part of the Rail, at the higher end of the said House, or were admitted to kneel at the upper end of the same House, near the Chair of State, at this time, and upon like solemn days; for no Peer is admitted to have his free Voice, or sit as a Member of that Great Council, untill he have accomplished his full Age, unless by the special Grace of the Prince.

At the Form at their back, and the nether Form at the nether end, sate theſe Peers.

Fynes Lord *Clinton*, as Lord Admiral, sate first amongst the Barons.

Howard Lord *Effingham*, as Lord Chamberlain of her Majesties Household, sate second.

Nevill Lord of *Burgavenny*, sate in his due place of preheminance, and so the rest that follow, unless such as were misplaced by the Clerks error, which is too frequent.

Zouch Lord *Zouch*.

Standley Lord *Strange*.

Birkley

Birkley Lord Birkley.
Parker Lord Morley.
Brooke Lord Cobham.
Stafford Lord Stafford.
Gray Lord Gray of Wilton.
Sutton Lord Dudley.
Lumley Lord Lumley.
Blunt Lord Mountjoy.
Darcy Lord Darcy of Mevill.
Standley Lord Mounteagle.
Sands Lord Sands.
Vaux Lord Vaux.
Windsor Lord Windsor.
Wentworth Lord Wentworth.
Burrough Lord Borough.
Mordant Lord Mordant.
Cromwell Lord Cromwell.
Evers Lord Evers.
Willoughby Lord Willoughby.
Sheffeld Lord Sheffeld.
Paget Lord Paget.
Darcy de Chicke Dominus Darcy.
North Lord North of Carthelige.
Bridges Lord Shandois.
Haistings Lord Haistings of Loughborough.
Carey Lord Carey of Hunsdon.
St John Lord St John of Bletsoe.

Nota, That *Dutchet Lord Audley*, and the *Lord Dacres* of the *North*, were under Age.

All which Peers abovesaid had their Mantles, Hood and Circots furred with Miniver, their Arms put on the right side, and the Duke of *Norfolk* had Bars of Miniver; the Marquess of *Winchester* and *Northampton* had three Bars of Miniver, the Earls likewise; the Viscounts two, and the Barons two.

Item, On the upper Sack of Wooll sat the Lord Keeper, till the Queen came; and then went to his place at the Rail. On the Woollack on the Northside, sat *Sir Robert Catlin*, and *Sir James Dyer*, the Queens two Chief Justices, *Mr Corbet Weston* and *Southcote* Justices of both Benches; on the Woollack on the Southside, sat *Sir William Cecill* the Queens Principal Secretary, *Sir William Cordall* Master of the Rolls, *Sir Thomas Sanders* Chief Baron, *Baron Whiddon* *Carus* the Queens Serjeant, *Gerard* the Queens Attorney; and on the nether Sack sat *Mr Vaughan*, and *Tale*, Masters of the Chancery, *Mr Spilman* Clerk of the Parliament, *Mr Martin* Clerk of the Crown, and *Mr Peile* his Joint Patentee. And behind them kneeled *Smith*, Clerk of the Council, and *Jones* Clerk of the Signet, *Permiter* and *Dyster*.

Then the Queens Majesty being Apparellled in her Parliament Robes, with a Caul on her Head, came forth, and took her Seat; the Marquess of *Northampton* carrying the Cap of Maintenance; and after stood on her right hand the Duke of *Norfolk*, carrying his Marshals Rod, and on her left hand the Earl of *Northumberland*, with the Sword, the Heralds also and Serjeants at Arms being before her; her Majesties Mantle was

born up on either side from her Shoulders, by the Lord Chamberlain and the Lord of *Hunsdon*, who also stood still by her, for the assisting thereof; when she stood up, her Train was born by the Lady *Strange*, assisted by *Sir Francis Knolles* Vice-Chamberlain; at the left hand of the Queen, and on the South-side, kneeled the Ladies, and at the Rail at the Queens back, on the right hand, stood the Lord Keeper; and on the left hand the Lord Treasurer.

Then the Queen (as aforesaid) being placed at the South Door, came in the House of Commons, bringing in between *Sir Edward Rogers* Comptroller of the Queens House and *Sir Francis Knolles* Vice-Chamberlain, *Mr Richard Onslow* Esq; the Queens Sollicitor, whom they had Chosen for their Speaker, and after a Reverence done, proceeded after down to the Wall, and from thence came up to the Rail; in the way doing three Reverences, and then began the said Speaker to say, as followeth.

IF it please your Royal Majesty, most Vertuous and most Excellent Princess, At the humble Suit of the Knights, Citizens and Burgesies of your nether House of Parliament, now Assembled, was signified from your Majesty, by the mouth of the Lord Keeper, by force of your Highness Letters of Commission, your pleasure and grant of free Election to the Knights, Citizens and Burgesies, to chuse a fit, and learned man, to be their Speaker, instead of *Thomas Williams* Esq; their late Speaker, whom it hath pleased God to call to his Mercy. For which they have Commanded me, in their Names, to render unto your Majesty most humble thanks; And have Commanded and forced me, to my great grief, to signifie to your Majesty, how accordingly they have proceeded to an Election, and chosen and assigned me (as I may say) being most unworthy to speak in this place, for this Parliament; and for that I would not be obstinate, I am forced to wound my self with their

Sword, which wound yet being green and new, your Majesty being the perfect Physician, may Cure in disallowing that which they have allowed; for that, without your consent it is nothing. And although I being very loth to trouble your Highness, have made Suit and used all ways and means to avoid it, yet could I find no remedy; and therefore am driven to seek remedy at your hands; for though I have the experience of their uprightness, wisdom and knowledge, which chose me, who if they would have found any fault in me, I would lightly have believed them (notwithstanding that we are for the most part given to think too much of our selves) but in this day, that they seem to enable me to this calling, whereof I know my self unable, I cannot credit them, no more than the simple Patient grievously tormented with sickness, will believe the Physician, nay the whole Colledge of them, if they say he hath no grief, pain or sickness. I therefore do not attempt this

releasing of me for any ease of my self, but would be glad to serve your Majesty, to the uttermost of my Power, in the Office of Solicitorship, whereunto I am appointed, and not in this, being unfit for the same; and that for divers Causes. For first, I consider, I have to deal with many well Learned, the Flower and Choice of the Realm, whose deep understanding my Wit cannot attain to reach unto. No, if they for great carefulness would often inculcate it into my dull Head, to signifie the same unto your Highness, yet my Memory is so slippery by Nature and Sicknes, that I should likely lose it by the way; yet if perhaps I kept part thereof, I have no other knowledge to help my self withall, but a little in the Law, far inferiour to divers in this House; and so should want Learning and Utterance to declare their meanings, as it requireth; specially when I consider your Royal Majesty, a Princess endowed with so many Vertues, Learning and flowing Eloquence, it will abash and astonish me; and therefore finding these infirmities, and other in me, I think my self most unworthy of this place. I trust therefore only in your Highness, that you will disallow this Election; and then rather, for that by the true intent of your said letters, it may not be gathered that they should elect any of your Majesties Officers; for although the words be to have their free Election, yet the Law may restrain them in some measure: As for Example, we find in the Law, that if it would please your Majesty, to grant Licence to a Dean and Chapter, to purchase to them and their Successors, a hundred pound yearly; which words be generally: yet if the purchased Lands be holden in *Capite*, this grant is void. And again, if you grant the Fines and Amerciaments of all your Tenants to one, who after chanceth to be Sheriff of a Shire, yet being a Sheriff he cannot have them. So this (me seemeth) if it please your Highness, serveth my Case. Another Cause is for want of substance to maintain this my Countenance; but yet your Majesties goodness in this point stoppeth my Mouth, for that I have none other living, but in manner by you. So for all these considerations, and divers others, as it shall please your Majesty to consider, I humbly desire your Highness to disallow this Election, Commanding them to repair again together, and to chuse another more fit, to serve the same. And so he ended, and did his Reverence.

Then the Queen called the Keeper, declaring her opinion in Answering him, who returning to his place, said as followeth.

Mr Onslow, The Queens Majesty hath heard and well understood this disabling your self to this Office; and doth well perceive your earnest Suit to be discharged of the same; and for Answer, hath Commanded me to say, that she doubteth not, but you very well understand, that when one is chosen to serve the Common-

Wealth, it is not in him which is called, who hath appointed him thereunto. Also there is an old similitude, that like as it appertaineth to the head, to dispose every inferior member in his place, so it pertaineth to the Queens Majesty, being the Head, to appoint every one in the Common-Wealth; This being truth, and her Majesty withal remembring your Fidelity and long Experience in Parliament matters, and again being chosen by so learned and expert men, thinketh therefore your fitness needeth not to be disputed here, and therefore they giving unto you such Faith and Credit, according to an Antient Custom, she cannot but do the like; and also you in disabling your self have abled your self, and therefore she doth allow and approve this their Election, nothing doubting her opinion in your ability to serve this turn; and so ended.

Mr Onslow's Answer.

Seeing that it hath pleased your Majesty to ratify this Election, I to the uttermost of my power shall serve your Highness, and this Common-Wealth; but first my humble suit is, that it would please your Majesty, to accept my good will: and the better to discharge my Duty towards them which have Chosen me, that in great matters sent from them, I may have access to your Majesty at times convenient, as the weight shall require. Secondly, If by weakness I shall mistake the effect and meaning of the matters committed to me, by the Knights, Citizens and Burgeesses, and thereby against my will misreport them; that then thereby this Common-Wealth may take no detriment; but that I may confer again with them, the better to understand their meaning, and so with more words to utter the same unto you; And I shall pray, as I am bound, to God, for your long and prosperous Reign over us.

Then her Majesty called the Lord Keeper, and Commanded him to Answer him, which he did as followeth.

Mr Speaker, The Queens Majesty hath heard your humble Petitions, and request made unto her, the effect whereof she gathereth to stand in two points; first, for access to her person; and secondly, for good interpretation of your meaning, and also larger Declaration thereof, if need be. For the former, her Highness (as her Noble Progenitors have done) is well contented, that in convenient time, and for convenient Causes, in convenient place, and without importunity (for that these parts now touched, have not been afore this time so well handled, as she trusteth now it shall be) which considered, as free access she granteth you, as any other hath had. For the second point, because no man at all times may do so well, but sometimes things may be uttered, which may be mispoken; for which

which cause, in that time also you shall have her intreatable; but she thinketh your circumspection to be such as she shall not therein need. And so ended.

Now a word or two to remember you here present of both the Houses; first, this it is that I would advise you in this your proceeding, to prefer the most weighty matters first, and not trouble your selves with small matters, and of no weight; and therein also, that all be done to understand the truth, and to avoid all superfluous matters, and losing or driving away of time. Secondly, It is profitable that you my Lords, and all others that be here, consider that long time requireth great expences, and therefore with you to make Expedition the rather, to avoid the same. And yet not meaning such Expedition, that any thing needful to be done, should be lightly passed over, and not substantially done, and seen unto; but only I mean that you should settle your selves wholly to mighty matters, and those which be necessary, and to spare superfluous things, and which needeth not; And this is the sum I have to say.

Then the Speaker, and the Knights, Citizens and Burgeses of the House of Commons, having made their low Reverence towards her Majesty, departed to their own House; and the Queen (after the Lord Keeper had by her Majesties Commandment, continued the Parliament unto the Morrow following) returned into her Privy-Chamber, and there shifted her, and then repaired to her Barge; and so to the Court. *Hactenus ex Memoriali præfato.*

On *Thursday* the third day of *October*, were three Bills read; of which the last being the Bill for the better Execution of certain Statutes, and for the reformation of certain disorders used in the Law, was read *primâ vice*, & *tunc commissa Archiepiscopo Cantuarien., Duci Norfolciæ, Comiti Marefchall. Angliæ, Comiti Salopiæ, Comiti Wigornie, & Comiti Leiceſter, Episcopo Dunelmen., Episcopo Elien. & Episcopo Carliolen., Domino Cobham, Domino Grey de Wilton, & Domino Haſtings, Domino Primario Juſticiario Banci Regis, Domino Primario Baroni Scaccarii, & Ser-vienti Carus.*

Nota, That this days passages are wholly transcribed out of the Original Journal-Book of the Upper House, as are also the greatest part of the days following; although the whole proceedings of *Wednesday* foregoing were inserted out of the before-mentioned Anonymous memorial, touching the Speakers presentment and allowance, which I had by me.

Nota also, That the former Bill touching the better Execution of certain Statutes, &c. was not only committed upon the first reading, which is not usual till after the second, but committed also to the Judges, being but Assistants of the Upper House, and to the Queens Serjeant, being but a meer Attendant upon the same, jointly with the Lords, the only proper and undoubted

Members of that Great Council; which is a matter to be observed, because of later days neither the said Assistants nor Attendant, are ever appointed joint Committees with the Lords, as here; but only Commanded by the House to attend upon the Committee, and there to give such advice, as shall be required from them; which is no greater respect yielded them at a Committee than in the House it self, sitting the Parliament, and were they still admitted to be Committees, as they usually were in all these first Parliaments of the Queen, yet could no inconvenience ensue thereby; because at a Committee things are only prepared, and made ready for the House; in which and no where else they ought to be concluded, and expedited.

And *Nota* lastly, That the Parliament was this day continued to *Saturday* the 5th day of *October* ensuing; but whether by the Lord Keeper, who (as it seems) at this time fell sick of the Gout, or by the Lord Treasurer, who for a while afterwards was appointed by the Queens Commission to continue it, according to the usual form and course in such case used, doth not appear in the Original Journal-Book of the Upper House, but is omitted through the negligence of *Francis Spilman Esq;*, now Clerk of the same House.

On *Saturday* the 5th day of *October* (to which day the Parliament had been last continued) two Bills of no great moment, had each of them one reading; of which the second, being the Bill for the taking away Clergy in certain Cases, was read *secundâ vice*, & *commissa Archiepiscopo Eboracen., Duci Norf., Comiti Huntington, Comiti Leiceſter, Vice-Comiti Mountague, Episcopo London, Episcopo Dunelmen., Episcopo Lincoln., Domino Clinton, Domino Morley, Domino Wentworth, Domino Willoughby, Domino North, Domino Hunſdon, the two Chief Juſtices, and the Chief Baron.*

Nota, That the Judges being meer Assistants, and no Members of the Upper House, were here also made joint Committees with the Lords, which hath never been admitted of in later times.

These two Bills were read, the Lord Keeper by reason of his being sick of the Gout abstaining this day, and a good while after, from the Upper House; and therefore *William* Lord Marquess of *Wincheſter*, Lord Treasurer of England, was Authorized by verbal Commission from the Queen, to supply his place; and accordingly continued the Parliament unto *Monday* next, being the 7th day of *October*; the form and manner whereof (although the President be very rare, and of great use) is only entred very briefly in the Original Journal-Book of the Upper House, in these words following.

Hodie dictus Theſaurarius, ex Mandato Domine Regine, eo quod Dominus Custos Magni Sigilli Podagræ Morbo laboraret, continuavit præſens Parliamentum uſq; in diem Lunæ proximæ horâ conſuetâ.

Nota, That here the Marquess of *Wincheſter*

Lord Treasurer of England, did supply the Lord Keepers place in the Upper House, without any Authority given him by Commission under the great Seal; which in like Cases is usual, and therefore it is most probable that her Majesty did by word of Mouth, give him this Commandment or Commission, either in private, or in the presence of some other Lords of the Upper House; which although it be not very usual, yet there want not Presidents of the same nature, as I was assured by *Henry Elsing Esq;*, at this time Clerk of the Upper House, upon *Friday* the 16th day of *April* 1630.; and that especially in former times, as of King *Edward* the third, and others, the Lord Keepers place was (during his absence) for the most part supplied by vertue of the Kings verbal Command; and seldom by Commission.

October the 6th Sunday.

On *Monday* the 7th day of *October*, An Act to make void fraudulent Gifts, Bargains and Alienations, made for the deceiving of Creditors, was read *primâ vice*, and committed to Justice *Dyer*: *Quod nota.*

The Lord Treasurer continued the Parliament until the next day at nine of the Clock.

On *Tuesday* the 8th day of *October*, the Bill that no man killing any person by misfortune, at twelve score or longer mark, shall therefore forfeit his Lands, Tenements, or Goods, was read *primâ vice*.

Dominus Thesaurarius continuavit præsens Parliament. usq; in diem Jovis prox. horâ nonâ.

On *Thursday* the 10th day of *October*, Three Bills of no great moment, had each of them one reading; of which the last being the Bill that no man killing any person at twelvescore prick, or longer mark, shall forfeit his Goods or Chattels (in which Bill for that it toucheth the Queens Prerogative, it was thought not convenient to proceed further, without her Highness pleasure first known in the same.)

Dominus Thesaurarius continuavit præsens Parliamentum usq; in diem Sabbati prox. hora nona; and so every sitting day until *Friday* the 25th day of *October* exclusive, the Parliament was continued in this Form by the Lord Treasurer, except *Monday* the 21th day, and *Tuesday* the 22th day of *October*; on both which days the House did sit, and Bills were read; but in the Original Journal-Book is no mention of continuing the Court by any person; which seemeth to have happened by negligence of the Clerk: and after the said 25th day of *October* (on which Sir *Robert Catlin* Knight, Lord Chief Justice of the Kings Bench, was appointed by her Majesties Commission to supply the place of the Lord Keeper, during his Sicknes) it was continued until *Saturday* the 9th day of *November* ensuing; when Sir *Nicholas Bacon*, Lord Keeper of the Great Seal, repaired again to the Upper House, and there continued his place, till the Dissolution of this present Session of Parliament.

On *Saturday* the 12th day of *October*, Two Bills of no great moment, had each of them one reading; of which the first being the Bill against fraudulent Gifts of Goods and Chattels, and also a remedy for Creditors against Bankrupts, was Committed to the Lord Chief Justice *Dyer*, and Justice *Southcote*, to be by them considered against the next meeting: *Quod nota.*

October the 13th Sunday.

On *Monday* the 14th day of *October*, to which day the Parliament had been last continued by the Lord Treasurer, Two Bills had each of them one reading; of which the first being the Bill for the taking away of Clergy from Pick-Purses, and Cut-Purses, was read *secundâ vice*, & commissa ad ingrossand.

On *Tuesday* the 15th day of *October*, to which day the Parliament had been last continued by the Lord Treasurer, Three Bills had each of them one reading; of which the two first, the one being the Bill to take away the benefit of the Clergy from certain Offenders for some Felonies, for which by the Common Law they could not be denied it, was read *tertiâ vice* & communi omnium Procerum assensu conclusa. And the other being a Bill for the Confirmation of Fines and Recoveries, notwithstanding the fault of the Original Writ, & majore Procerum numero assentientium conclusa est. And the said two Bills so concluded, were committed unto the Queens Attorney, and Mr *Martin*, to be carried down to the House of Commons.

On *Wednesday* the 16. day of *October*, the Lords did meet in the Parliament Chamber, and nothing done, but the Parliament continued by the Lord Treasurer in usual Form, until *Thursday* the 17. day of *October*.

On *Thursday* the 17. day of *October*, Three Bills of no great moment, had each of them one reading; of which the first being the Bill to Naturalize *John Stafford*, born beyond the Seas, was *primâ vice* lect. and the third being against fraudulent Gifts of Goods and Chattels, and also a remedy against Bankrupts, was by the consent of all the Lords concluded.

On *Saturday* the 19. day of *October*, to which day the Parliament had been last continued, on *Thursday* foregoing, by the Lord Treasurer, the Bill for the punishment of the negligence and false return of Writs, by under-Sheriffs and Bayliffs; was by common consent of the Lords concluded, and with two other Bills before concluded, was sent to the House of Commons by Serjeant *Carns*, and the Attorney General.

On *Monday* the 21. day of *October*, the Bill for annexing of *Hexhamshire* to the County of *Northumberland*, was read *primâ vice*.

Two Bills were brought up to the Lords from the House of Commons, viz. One to take the benefit of Clergy from certain Offendors, returned exped.; And another to repeal a branch of a Statute made *Anno* 23 *Hen. 8.* touching prices of Barrells and Kilderkins.

On *Tuesday* the 22. day of *October*, to which day

day the Parliament had been last continued, two Bills of no great moment, had each of them one reading; of which the second, being the Bill for the annexing of *Hexhamshire* to the County of *Northumberland*, was read *secundâ vice*; and committed to the Archbishop of *York*, the Earl of *Northumberland*, the Earls of *Westmoreland*, and *Bedford*, the Bishop of *Durham*, the Bishop of *Carlisle*, the Lord *Evers*, the Lord *Rich*, and the Lord *North*, and to Justice *Welsb* and Serjeant *Carus*.

Nota, That here a Judge, being but an Assistant, and a Serjeant, being but an Attendant upon the Upper House, are made Joint-Committees with the Lords; *Ut vide plus* on *Thursday* the third day of this instant *October* foregoing.

Nota also, That an Extraordinary Proxy is Entered in the beginning of the Original Journal-Book of the Upper House, to have been introduced this day, being as followeth, *viz.*

22 die Octobris introductæ sunt literæ Procuratorie Cuthberti Domini Ogle, in quibus Procuratores constituit Franciscum Comitem Bedford, & Johannem Dominum Lumley.

This I call an Extraordinary Proxy, in respect that a Temporal Lord did Constitute two Proctors; whereas usually they nominate but one, and the Spiritual Lords for the most part two; and this Proxy of the Lord *Ogle's* may the rather seem unusual, in respect that of sixteen Temporal Lords, who were absent by her Majesties Licence from this Session of Parliament, there was but one more, *viz.* *Francis* Earl of *Bedford* (*ut vide* on *Saturday* the 9. day of *November* following) who Constituted above one Proxy.

It is also worth the noting, that *Robert* Earl of *Leicester*, being at this time a Favorite, was Constituted the sole and joint Proxy of eight several Temporal Lords, who with six others, as is aforesaid, were absent this Session of Parliament: from which, as also from other Presidents of former and later times, it may easily be gathered, that any Member of the Upper House, by the antient usage and custom of the same, is capable of as many Proxies, as shall be directed unto him, although there was an Order made in the said House to the contrary *A. D.* 1626. That no Lord or Member whatsoever of the Upper House, should for the time to come, be capable of above two Proxies at the most; which said Order was occasioned in respect that *George* Duke of *Buckingham* (Favorite of the King Deceased, and of King *Charles*) being guilty of many Crimes, did, to strengthen himself by Voices, not only procure divers persons to be made Members of that House, but also engrossed to himself near upon twenty several Proxies.

Vide one other Extraordinary Proxy on *Saturday* the 9th day of *November*, and another on *Sunday* *December* the first following.

This Forenoon also these twenty Lords under written, were appointed to repair in the Afternoon to the Queens Majesty; *viz.*

The Archbishop of *York*.
The Earl of *Northumberland*.
The Earl of *Westmoreland*.
The Earl of *Shrewsbury*.
The Earl of *Worcester*.
The Earl of *Sussex*.
The Earl of *Huntingdon*.
The Earl of *Warwick*.
Viscount *Bindon*.
Viscount *Mountague*.
The Bishop of *London*.
The Bishop of *Durham*.
The Bishop of *Winchester*.
The Lord *Cobham*.
The Lord *Rich*.
The Lord *Wentworth*.
The Lord *Pagett*.
The Lord *Sheffield*.
The Lord *Hastings* of *Loughborough*.
The Lord *Hunsdon*.

The business about which these Lords repaired to the Queen, is not in the Original Journal-Book it self of the Upper House, but it may be guessed it was concerning those two great businesses of the Queens Marriage, and the Declaration of the next Heir, and Successor after the Queens Decease, to the Crown; which business bred so much distast afterwards between her Majesty and her Subjects in this Session; so that, as afterwards the Lords did Petition the Queen about it, so now (it should seem) these Lords repaired unto her, either to desire leave to prefer that Petition, and that they might confer with the House of Commons about it, or else to know of her Majesty a fitting time, when they might repair unto her, with their said Petition, and so receive Answer unto it. But what the Queen replied at this time, is hard to be conjectured; only it followeth at large, that on *Tuesday* the 5th day of *November*, the Members of both Houses, for that end appointed, repaired to her Majesty in the Afternoon; but whether they then offered up their Petitions unto her Majesty, or whether the House of Commons did at this Session of Parliament, prefer any Petition at all concerning those two great matters aforesaid, is hard to be determined.

No mention is made in the Original Journal-Book of continuing the Parliament; which seemeth to have happened by the Clerks negligence.

On *Wednesday* the 23th day of *October*, the Bill to repeal a branch of a Statute made *Anno* 23 *Hen.* 8. touching the prices of Barrels and Kilderkins, was read *primâ vice*.

An Act declaring the manner of making and Consecrating of the Archbishops and Bishops of the Realm, to be good, lawful and perfect, was brought from the House of Commons.

Dominus Theſaurarius continuavit præſens Parliamentum uſq; in diem Jovis prox.

On *Thursday* the 24th day of *October*, the Archbiſhop of *York*, the Lord Treasuſer, the Duke of *Norfolk*, and divers other Lords both Spiritual and Temporal, did Aſſemble in the Parliament-Chamber, where nothing was done, but only the continuance of the Parliament, until *Friday* next at ten of the Clock.

On *Friday* the 25th day of *October*, the Lord Treasuſer ſignified to all the Lords, that the Queens Highneſs, conſidering the decay of his Memory and Hearing, being Griefs accompanying Hoary Hairs, and Old Age; and underſtanding the Lord Keepers ſlow amendment, intended to ſupply both their ſaid defects by Sir Robert Catlin Knight, Chief Juſtice of the Kings Bench, and ſhewed forth her Majeſties Commiſſion under the Great Seal of *England*, which the Clerk by Commandment openly read, *in hæc verba*.

ELizabeth, by the Grace of God, Queen of *England*, *France* and *Ireland*, Defender of the Faith, &c. To our Truſty and well Beloved, Sir Robert Catlin Knight, Chief Juſtice of the Pleas to be holden before us, Greeting. Where our right truſty and well-beloved Councellor, Sir Nicholas Bacon Knight, Lord Keeper of our Great Seal of *England*, is at this preſent ſore viſited with ſickneſs, that he is not able to travel to the Upper Houſe of this our preſent Parliament, holden at *Westminster*, nor there to ſupply the room and place in the ſaid Upper Houſe amongſt the Lords Spiritual and Temporal there Aſſembled, as to the Office of the Lord Chancellor, or Lord Keeper of the Great Seal of *England*, hath been accuſtomed, We, minding the ſame place and room to be ſupplied in all things, as appertaineth, have named and appointed you, from day to day, and time to time hereafter, during our pleaſure, to uſe and occupy the place and room of the ſaid Lord Keeper, in our ſaid Upper Houſe of Parliament, amongſt the ſaid Lords Spiritual and Temporal there Aſſembled; and there to do and execute in all things from day to day, and time to time, as the ſaid Lord Keeper of the Great Seal of *England*, ſhould and might do, if he were there preſent, uſing and ſupplying the ſame place. Wherefore we will and Command you the ſaid Sir Robert Catlin, to attend unto and about the Executing of the premiſſes with effect. And theſe our Letters Patents ſhall be your ſufficient Warrant, and diſcharge for the ſame, in every behalf. In Witneſs whereof we have cauſed theſe our Letters to be made Patents. Witneſs our Self at *Westminster* the 25th day of *October*, in the Eighth Year of Our Reign.

Martin.

The Bill to repeal a branch of a Statute made in the 23th Year of *Henry 8.* touching prices of Barrels and Kilderkins, was read *tertiâ vice*, and by common conſent of all the Lords concluded.

Dominus Capitalis Juſticiarius continuavit præ-

ſens Parliamentum uſque in diem Sabbati proximum.

On *Saturday* the 26th day of *October*, the Bill declaring the manner of making and Conſecrating of the Archbiſhops and Biſhops of this Realm, to be good, lawful and perfect, was read *primâ vice*.

Memorandum, The Lords after deliberate Conſultation and advice taken, how to proceed in the great matters of Succeſſion and Marriage, before moved by the Houſe of Commons, did this preſent day ſend Serjeant *Carns*, and M^r Attorney down unto them, to ſignifie that they would a choſen number ſhould be ſent up unto them, for their knowledge to be had of the ſame. *Vide* concerning this buſineſs on *Wednesday* the 30th day of *October*, now next enſuing; as alſo on *Tuesday* the 5th day of *November* following.

Dominus Capitalis Juſticiarius continuavit præſens Parliamentum uſq; in diem Lunæ prox.

October the 27th Sunday.

On *Monday* the 28. day of *October*, Sir Robert Catlyn Knight, Lord Chief Juſtice of the Kings Bench (ſupplying the place of the Lord Keeper, at this time ſick of the Gout, as is before-mentioned) with divers other Lords Spiritual and Temporal, met in the Upper Houſe; but nothing appeareth to have been done in the Original Journal of the ſame Houſe, only the continuance of the Parliament unto *Wednesday* next following.

On *Wednesday* the 30. day of *October*, Two Bills of no great moment, had each of them one reading; of which the ſecond being the Bill declaring the manner of making and Conſecrating of Archbiſhops and Biſhops of this Realm to be good, lawful, and perfect, was read *ſecondâ vice*.

The Lords whoſe names are here next after written, were appointed to have Conference with a ſetled number of the Houſe of Commons, touching Petition to be made to the Queens Highneſs, as well for the Succeſſion, as for her Marriage, *viz.*

The Archbiſhop of *York*.
The Lord Treasuſer.
The Duke of *Norfolk*.
The Marqueſs of *Northampton*.
The Earl of *Northumberland*.
The Earl of *Westmorland*.
The Earl of *Shrewsbury*.
The Earl of *Worceſter*.
The Earl of *Suffex*.
The Earl of *Huntingdon*.
The Earl of *Warwick*.
The Earl of *Bedford*.
The Earl of *Pembroke*.
The Earl of *Leiceſter*.
Viſcount *Mountague*.
Viſcount *Bindon*.
The Biſhop of *London*.
The Biſhop of *Durham*.

The Bishop of *Winchester*.
 The Bishop of *Worcester*.
 The Bishop of *Lincoln*.
 The Bishop of *Rocheſter*.
 The Bishop of *Coventry* and *Lichfield*.
 The Lord Admiral.
 The Lord Chamberlain.
 The Lord *Morley*.
 The Lord *Cobham*.
 The Lord *Grey*.
 The Lord *Wentworth*.
 The Lord *Windſor*.
 The Lord *Rich*.
 The Lord *Sheffeld*.
 The Lord *Paget*.
 The Lord *North*.
 The Lord *Haſtings* of *Loughborough*.
 The Lord *Hunſdon*.

It ſhould ſeem that the Lords had intended at firſt to have appointed but thirty of themſelves, to have joined with the Houſe of Commons, about the foreſaid Treaty or Conference, to be had between them, touching the ſaid great matters of Succeſſion and Marriage, however it fell out afterwards, as appeareth by the names above ſet down, that they appointed more: for it appeareth plainly by the Original Journal-Book of the Houſe of Commons, (although there be no mention at all of it in that of the Upper Houſe) that the Lords did this day ſend down word unto the Houſe of Commons, by Mr Serjeant *Carns*, and Mr Attorney, that they had Cholen thirty of themſelves, to conſult and confer with a Select Committee of the ſaid Houſe, touching the foreſaid great buſineſs: touching which ſee more on *Tueſday* the 5th day of *November* following.

Dominus Capitalis Juſticiarius continuavit præſens Parliamentum uſq; in diem Jovis prox.

On *Thursday* the 31th day of *October*, the Bill for declaring the manner of making and Conſecrating of the Archbishops and Bishops of this Realm, to be good, lawful and perfect, *Commiſſa eſt* to the Chief Juſtice of the Common-Pleas, Juſtice *Southcote* and Attorney General.

The Bill for annexing of *Hexamſhire* to the County of *Northumberland*, was read *ſecundâ vice*.

The Houſe of Commons appointed Sir *Edward Rogers* Knight, Comptroller of her Highneſs Houſhold, Sir *Francis Knolles* her Majeſties Vice-Chamberlain, Sir *William Cecill*, her Highneſs Chief Secretary, Sir *Ambroſe Cave* Knight, Chancellor of her Dutchy of *Lancaſter*, Sir *William Peeter*, Sir *Ralph Sadler*, Sir *Walter Mildmay* Knights, all of her Highneſs Privy-Council, and divers other Members of the Houſe of Commons, to have Conference with the Lords afore-named (whoſe names ſee on yeſterday foregoing) touching thoſe two great matters of the Succeſſion and Marriage, to be dealt in by Petition to her Majeſty. As ſee more at large

upon to Morrow enſuing in the Afternoon.

Dominus Capitalis Juſticiarius continuavit præſens Parliamentum uſq; in diem Martis 5 die Novembris prox.

On *Tueſday* the 5th day of *November*, the Bill for the annexing of *Hexamſhire* unto the County of *Northumberland*, and the Eccleſiaſtical Jurisdiction of the ſame unto the See of the Biſhoprick of *Durham*, was read *tertiâ vice*, & *communi omnium Procerum aſſenſu concluſa*.

The Nobles under-named were appointed to wait on the Queens Highneſs this Afternoon, with thirty of the Houſe of Commons, by her Highneſs ſpecial Commandment.

The Archbiſhop of *York*.
 The Lord Treasuſer.
 The Duke of *Norfolk*.
 The Marqueſs of *Northampton*.
 The Earl of *Northumberland*.
 The Earl of *Westmerland*.
 The Earl of *Shrewsbury*.
 The Earl of *Worceſter*.
 The Earl of *Huntingdon*.
 The Earl of *Suffex*.
 The Earl of *Warwick*.
 The Earl of *Bedford*.
 The Earl of *Pembroke*.
 The Earl of *Leiceſter*.
 Viſcount *Mountague*.
 Viſcount *Bindon*.
 The Biſhop of *London*.
 The Biſhop of *Dureſm*.
 The Lord *Clinton* Lord Admiral.
 The Lord *Howard* of *Effingham*, Lord Chamberlain.
 The Lord *Morley*.
 The Lord *Lumley*.
 The Lord *Rich*.
 The Lord *Sheffeld*.
 The Lord *Paget*.
 The Lord *North*.
 The Lord *Haſtings* of *Loughborough*, and
 The Lord *Hunſdon*.

Dominus Capitalis Juſticiarius continuavit præſens Parliament. uſq; in diem Craſtinum hora conſueta.

But there is no mention at all in the Original Journal-Book of the Upper Houſe, to what end or purpoſe the Lords above-mentioned, with thoſe thirty Members of the Houſe of Commons, repaired to her Majeſty; which doubtleſs fell out by the great negligence (in a matter of ſo great weight) of *Francis Spilman* Eſq; Clerk of the Upper Houſe, and therefore I have thought fitting and neceſſary to ſupply it at large, partly out of the Original Journal-Book of the Houſe of Commons, and partly out of other ſeveral Manuſcript Memorials, I had by me; all which in their proper place I have particularly vouched. It is therefore in the firſt place to be noted, as fit matter of preparation to that which follows, that theſe two great matters touching her Majeſties

sties Marriage, and the Declaration of a certain Successor, were agitated in the House of Commons in the first Session of this present Parliament, in *An. 5 Regin. Eliz.* and thereupon the greatest part of the said House, with *Thomas Williams* their Speaker, did prefer a Petition to her Majesty, upon *Thursday* the 28th day of *January*, in the said fifth Year of her Majesties Reign, by her Allowance; in which having humbly supplicated her Majesty to Marry, or in default of Issue of her own Body, to declare a certain Successor, they received a gracious Answer. But now the same Parliament reassembling again to this second Session thereof in the eighth year of the Reign of the Queen, and finding nothing to have been acted by her Majesty in either kind; but that she remained still a Virgin, without all likelihood of Marriage, and that the Succession of the Crown depended upon great uncertainties; some holding the Queen of *Scots* to have best Right, others the Countess of *Lenox*, being the Daughter of *Margaret of England*, by *Archibald Douglas* Earl of *Angus*, her Second Husband; and others also argued very strongly for *Catherine* Countess of *Hartford*, being the Daughter and Coheir of *Henry Grey* Marquess *Dorset*, and *Frances* his Wife, the Eldest Daughter and Coheir of *Charles Brandon* Duke of *Suffolk*, by *Mary* the French Queen, being the youngest Daughter of *Henry* the Seventh; and especially seeing that the Queen of *Scots*, having Married the Lord *Darley*, (whom she had Created Duke of *Albany*, and had by him Issue a Son born before the beginning of this Session of Parliament, who afterwards was Monarch of *Great Britain*) and duly considering also, that the Scottish Queen had, during the Life of the French King her Husband, by his means pretended a right to the Kingdom of *England*, before the Queen herself, in respect of the Popes Authority; and that some also did not stick to set a broach the Title of the Lady *Elleanor*, being the younger Sister and Coheir with the Countess of *Hartford*, Married to the Earl of *Cumberland*: therefore I say all these said premisses being duly weighed by both the said Houses of Parliament, it made them to be more earnest in Petitioning her Majesty at this time, to the same effect; although it seemeth that the Petition delivered at this time, was chiefly preferred in the name of the Lords of the Upper House, as that other Petition had formerly been preferred in the Name of the Commons, in the first Session of this Parliament, in *An. 5 Regin. Eliz.* whence it hath come to pass, that neither of these Petitions being set down in the Original Journal-Book of the Upper House of Commons, in either of these two Sessions of Parliament, the times of their delivery have been exceedingly confounded together, in all such several Copies as I have perused of them; in which, as also in *Sir Robert Cotton's* first Volume of the Journals of Parliament of the Queens time (which are very imperfect and fragmentary) they are erroneously Entred to have been both

delivered in *An. 1563.* in which Year, as also in part of the Year 1562. the Session in *An. 5 Regin. Eliz.* was continued.

Post Meridiem.

The Archbishop of *York*, the Lord Treasurer, and the other Lords, whose names are mentioned in the former part of this day, with *Sir Edward Rogers* Knight, Comptroller of her Highness Household, and *Sir William Cecil* Knight, her Majesties Principal Secretary, and divers other Members of the House of Commons, repaired to her Majesty this Afternoon, being at her Palace of *Whitehall*, to receive Answer from her Highness, touching these two great businesses of her Marriage, and the Declaration of her Successor, as appeareth plainly by the Original Journal-Book of the House of Commons, fol. 266. a. where the report of her Majesties Answer is set down, which she gave this Afternoon; although there be no mention at all thereof in the Original Journal-Book of the Upper House. And that this was the cause and ground of their attending upon her Majesty at this time, appeareth also plainly by a certain Manuscript Memorial, or Diary, kept and set down by *Sir William Cecil*, her Highness Principal Secretary (and afterwards Lord Treasurer of *England*) of the passages of the greatest part of her Majesties Reign: in which the words are as followeth.

Nov. 5. The Queen had before her thirty Lords and thirty of the Commons of the Parliament, to receive her Answer concerning the Petition for the Succession, and for Marriage.

But whether the Lords preferred their said Petition this Afternoon, or whether they had supplicated her Majesty any time before, doth not any where certainly appear; neither can I possibly gather further than by conjecture: and so it is most probable, that though her Majesty had notice before, what their Petition was, yet it was not preferred till this Afternoon. For but on *Saturday* Morning foregoing, which was the second day of this instant *November*, it is plain, that the Committees of the House of Commons (as appeareth by the Original Journal-Book of the same House, on *Thursday* the 31th day of *October*, fol. 264. b. on which day the said meeting of the Committees was appointed) did then meet to consider and agree upon such reasons, as they should shew to the Committees of the Lords; whereby they might induce her Majesty, both to encline to Marriage, and to declare a Successor.

And however *Sir Nicholas Bacon* Knight, Lord Keeper of the Great Seal, be not nominated in either of the Original Journal-Books of the Upper House, and House of Commons, to have been present with the before-mentioned Lords and others; yet it is plain, that if the said Petition was preferred this Afternoon, or whensoever else, it was delivered from his mouth; as may be gathered

gathered from the very Petition it self ensuing ; and is so also expressely set down by Mr *Camden* in *Annal Regin. Eliz. edit. Lugdun. Batav. A. D. 1625. pag. 99.* and though he had abstained a while about this time from the Upper House, by reason of his infirmity of the Gout, yet he was now in the way of amendment and recovery, repairing again to the said House on *Saturday* the 9. day of this instant *November* ensuing; and therefore might very well meet the before-mentioned Lords, and other the selected Members of the House of Commons, at the Court this Afternoon.

So then, it being most probable that the Lords did both prefer their Petition this Afternoon to her Majesty, touching those two great matters of the Marriage and Succession, and also received her Majesties Answer; Therefore the said Petition doth here first ensue, which the Lord Keeper pronounced in these or the like words following.

MOST humbly beseecheth your Excellent Majesty, your Faithful Loving and Obedient Subjects, all your Lords both Spiritual and Temporal Assembled in Parliament in your Upper House, to be so much their good Lady and Sovereign, as according to your accustomed benignity, to grant a Gracious and Favourable Hearing to their Petitions and Suits, which with all Humbleness and Obedience, they are come hither to present to your Majesty, by my Mouth, in matters very nearly and dearly touching your most Royal Person, the Imperial Crown of this your Realm, and Universal Weal of the same; which Suits, for that they tend to the surety and preservation of these three things, your Person, Crown and Realm, the Dearest Jewel that my Lords have in the Earth; therefore they think themselves for divers respects greatly bound to make these Petitions; as first by their Duty to God, then by their Allegiance to your Highness, and lastly, by the Faith they ought to bear to their natural Country.

And like as, most Gracious Sovereign, by these Bonds they should have been bound to make the like Petition upon like occasion to any Prince, that it should have pleased God to have appointed to Reign over them; so they think themselves doubly bound to make the same to your Majesty, considering that besides the Bond before-mentioned, they stand also bound so to do, by the great and manifold benefits they have and do receive daily at your Highness hands; which, shortly to speak, be as great as the Fruits of Peace, common quiet and Justice can give; and this with great care and charge to your Self. And thus, my Lords diversly bound, as your Majesty hath heard, are now to open to your Highness their humble Petitions and Suits, consisting in two points chiefly; which not sundrily, or the one without the other, but both jointly they desire your Highness to assent to; The Former is, that it would please your Majesty to dispose

your self to Marry, where it shall please you, with whom it shall please you, and as soon as it shall please you. The second, that some such limitation might be made, how the Imperial Crown of this Realm should remain, if God call your Highness without Heirs of your Body (which our Lord defend) so as these Lords and Nobles, and other your Subjects then living might sufficiently understand, to whom they should owe their Allegiance and Duty due to be done by Subjects, and that they might by your Majesties Licence, and with your Favour treat and confer together this Parliament time, for the well-doing of this. The former of these two, which is your Marriage, they do in their hearts most earnestly wish, and pray, as a thing that must needs breed and bring great and singular comfort to your Self, and unspeakable joy and gladness to all true English Hearts. But the second carrieth with it such necessity, that without it they cannot see how the safety of your Royal Person, the preservation of your Imperial Crown and Realm, shall be, or can be sufficiently and certainly provided for.

Most Gracious and Sovereign Lady, The Lamentable and pitiful Estate and Condition, wherein all your Nobles and Councillors of late were, when it pleas'd God to lay his heavy hand upon you, and the amazedness that most men of understanding were by the Fruit of that Sicknes brought into, is one cause of this their Petition; The second the aptness and opportunity of the time, by reason of this Parliament, whereby both such advice, consideration and consent, as is requisite in so great and weighty a cause, may be better heard and used, than at any other time, when no Parliament is. The third, for that the assenting and performing of these Petitions, cannot as they think but breed great terror to our Enemies, and therefore must of necessity bring great surety to your Person, and especially by addition of such Laws, as may be joined with this limitation for the certain and sure observing of it, and preserving of your Majesty against all practices and chances. The fourth Cause, for that the like (as it is supposed) hath been done by divers of your Noble Progenitors, both of old time and of late days; and also by other Princes your Neighbours of the greatest Estate in *Europe*, and for that Experience hath taught, that good hath come of it. The fifth, for that it appeareth by Histories, how that in times past, persons Inheritable to Crowns being Votaries and Religious, to avoid such dangers as might have hapned for want of Succession to Kingdoms, have left their Vows and Monasteries, and taken themselves to Marriage, as *Constantia* a Nun, Heir to the Kingdom of *Sicily*, Married after fifty Years of Age, to *Henry* the Sixth Emperour of that name, and had Issue *Frederick* the Second. And likewise *Peter* of *Aragon*, being a Monk, Married, the better to establish and pacify that Kingdom. Again, *Antonius Pius* is as much commended, for that not two days be-

fore his Death, he said to his Council, *Leto animo morior, quoniam filium vobis relinquo.* *Pyrhus* is of all Godly men detested, for saying he would leave his Realm to him that had the sharpest Sword. What but want of a Successor known, made an end of so great an Empire as *Alexander* the Great did leave at his Death? The sixth cause is, for that my Lords do judge the performing of this will breed such an universal gladness in the Hearts of all your true and loving Subjects, that likely and probably you shall find them in all Commandments ready and glad to adventure their Goods, Lands and Lives in your Service, according to their bounden Duties, which of necessity must breed great surety also to your Majesty.

The seventh cause, because the not doing of this (if God should call your Highness without Heir of your Body (which God grant never be seen, if it be his Will) and yet your Majesty right well knoweth, that Princes and their Offspring, be they never so great, never so strong, never so like to live, be yet Mortal, and subject every day, yea every hour to Gods Call) my Lords think, this happening, and no limitation made, cannot, by their Judgments, but be the occasion of every evident and great danger and peril to all Estates and sorts of men of this Realm, by the Factions, Seditions and Intestine War, that will grow through want of understanding to whom they should yield Allegiance and Duty; whereby much innocent blood is like to be shed, and many of those to lose their Lives, that now would gladly bestow them for your sake, in your Majesties Service. The eighth, for that the not performing of this, the other happening, doth leave the Realm without Government, which is the greatest danger than can happen to any Kingdom. For every Prince is *anima Legis*, and so reputed in Law; and therefore upon the Death of Princes the Law dyeth; all the Offices of Justice, whereby the Laws are to be Executed, do cease; all Writs and Commandments to call parties to the Execution of Justice, do hang in suspense; all Commissions for the Peace and for the punishment of Offenders do determine, and lose their force; whereby it followeth consequently, that Strength and Will must Rule, and neither Law nor Reason, during such a Vacation and *inter-Reign*; wherein such an uncertainty of Succession is like to last so long, as it is to be feared (if Gods mercy be not the greater) that thereby we may become a prey to Strangers (which our Lord defend) or at least lose the great honour and estimation that long time hath pertained to us.

And like as, most Gracious Sovereign, my Lords have been moved for the Worldly respect aforesaid, to make these their humble Petitions to your Majesty, so by the Examples, Counsels, yea and Commandments, that they have heard out of the sacred Scriptures, and for Conscience sake they feel themselves constrained, and enforced to do the like. God, your Highness know-

eth, by the course of the Scriptures hath declared Succession and having of Children to be one of the principal Benedictions in this Life; and on the contrary he hath pronounced contrary wise; and therefore *Abraham* pray'd to God for Issue, fearing that *Eliazar* his Steward should have been his Heir; and had promise that Kings should proceed of his Body. *Hannah* the Mother of *Samuel*, pray'd to God with tears for Issue. And *Elizabeth* (whose name your Majesty beareth) Mother to *John the Baptist*, was joyful when God had blessed her with Fruit, accounting her self thereby to be delivered from reproach.

And as this is a blessing in private Houses, so is it much more in Kingdoms, as it plainly appeareth by the two Kingdoms of *Israel* and *Judah*. Unto the Kingdom of *Judah*, containing but two Tribes or thereabouts, God gave Lineal Succession by Descent of Kings; and therefore it continued a long time. The Kingdom of *Israel*, containing ten Tribes or thereabouts, often destitute of lawful Heirs, the one half of the people following the one, and the other half following the other, by Wars and Seditions being weakened, came soon to ruine, as plainly appeareth by the third and fourth Book of *Kings*.

And again in the time of the Judges, because there was no ordinary Succession, the people were often-times overcome, and carried into Captivity. Besides, it is plain by the Scriptures, that Godly Governors and Princes (as Fathers of their Countries) have always been careful to avoid the great evil that might ensue, through want of limitation of Succession, therefore *Moses* did enjoin *Joshua* to be his Successor, and *David* his Son *Solomon*, whereby a Sedition was appeased, begotten by *Adonijah*; of this there be many Examples.

Further, seeing it may be easily gathered by Experience of all Ages past, that Civil Wars, effusion of Christian Blood, and consequently ruines of Kingdoms, do follow, where Realms be left without a certainty of Succession; and your Majesty is also informed of the same, and sued unto for redress; if therefore now no sufficient remedy should be by your Highness provided, that then it should be a dangerous burthen before God to your Majesty, and you were to yield a strict account to God for the same; considering you are placed, as the Prophet *Ezekiel* saith, in *Altissimo speculo* of this Common-Wealth, and see the Sword coming, and provide no remedy for the defence of it. Lastly, The Spirit of God pronounceth by the Mouth of *S^t Paul* to *Timothy*, that whosoever maketh no due Provision for his Family, is in very great danger to Godward; and also by the Mouth of *S^t John*, that whosoever seeth but one Brother in necessity, and doth shut up the Bowels of Pity and Compassion from him, hath not the Love of God remaining in him; whereby it is plain and manifest, how fearful a thing it were, if this whole Realm containing so many Families, were not in a perillous Case upon their Suit provided for;

for; or if the Bowels of Mercy should be shut up from so many thousands, which every way were like to fall into most extream miseries, if God should call your Highness without certainty of Succession; which we pray to God may never happen.

Most Excellent Princes, the places of Scriptures containing the said threatnings be set forth with more sharp words, than be here expressed. Thus, most Gracious Sovereign, your Lords and Nobles, both Spiritual and Temporal, have as briefly as they can, first shewed to your Majesty, how diversly they take themselves bound, to make these their humble Petitions unto you: And then, what their Petitions be; And after that, what reasons for Worldly respects, and what by the Scriptures and for Conscience sake, have moved them thus to do; which here upon their Knees, according to their bounden Duty, they most humbly and earnestly pray your Majesty to have consideration of in time; and to give them such favourable and comfortable Answer to the same, that some good effect and conclusion may grow before the end of the Session of this Parliament, the uttermost day of their greatest hope, whereby this Common-Wealth, which your Highness found to be *lateritia* as *Augustus* did his, and by your great Providence is now come to be *marmorea*, shall not for want of performing this, if God shall call your Highness without Heir of your Body, be in more dangerous Estate and Condition, than ever it was that any man can remember. True it is, that this Suit is made by my Lords, not without great hope of good success, by reason of the Experience that they have had of your bountiful goodness shewed to them, and the rest of your loving Subjects divers and sundry ways since the beginning of your Reign; which they pray to God long to continue, to his Honor, with all Felicity.

The Petition of the Lords being thus set down, of which it cannot be absolutely and undoubtedly determined, whether it were preferred this day or no; Now in the next place must follow her Majesties Answer, which was without all doubt given this Afternoon to the before-mentioned Lords, and those other thirty Members of the House of Commons; yet there is no mention at all thereof, either in the Original Journal-Book of the Upper House, or in that before-cited Memorial or Diary of the greatest part of the passages of her Majesties Reign, collected and set down by Sir *William Cecill*, at this time her Majesties Principal Secretary: and therefore the greatest light of it being gathered out of the Original Journal-Book of the House of Commons, containing the agitations of this Session of Parliament, *de An. 8 Regim. Eliz. fol. 266. A.* (where on the Forenoon of the next day ensuing this Afternoon being *Wednesday*, and the 6th day of this instant *November*, report thereof was made to the said House, by Sir *Edward Rogers* Knight,

Comptroller of her Majesties Household, and Sir *William Cecill*, her Highness Principal Secretary above-mentioned) it doth plainly appear, that touching her Marriage, her Majesty gave them some hope of it; but excused her self, in not declaring a Successor, in respect of the great danger thereof; and therefore comparing this with that which Mr *Camden* hath set down, touching this Answer, in *Annal. Regim. Eliz. edit. Lugdun. Batav. A. D. 1625. pag. 101, & 102.* it may very well be gathered, and it is most likely, that that Answer of her Majesty, of which I had a Copy by me, being erroneously placed, as that also of Sir *Robert Cottons* is in the first Volume of his Parliamentary Journals (being very imperfect and fragmentary) amidst the passages of the Parliament of the fifth year of her Majesties Reign, that that Copy I say contains the Answer, which her Majesty gave at this time, to the before-mentioned Lords, and others, being as followeth; save only, that through often transcribing, without comparing, it should seem it is somewhat defective.

Since there can be no duer Debt than a Princes word to keep that unspotted, for my part, as one that would be loth that the self same thing that keepeth Merchants Credit from craze, should be the cause that a Prince's Speech should merit blame, and so their honor quail; Therefore I will an Answer give, and this it is: The two Petitions that you presented me (which must doubtless relate to the two severall parts of one and the same Petition, viz. the Marriage and the Succession, and might not improperly be so called, though couched in one Body, and as the words also following do in manner explain it) expressed many words, which contained in sum these two things, as of your cares the greatest; My Marriage, and my Succession. Of which two I think the last best to be touched, and of the other a silent thought may serve. For I thought it had been so desired, as none other Tree's blossom should have been minded, or ever any hope of any Fruit had been denied you. And yet by the way, if any here doubt that I am by Vow or determination bent never to trade in that kind of Life, put out that kind of Heresy; for your belief is there in a wry. For though I can think it best for a private Woman, yet I do strive with my self to think it not meet for a Prince; and if I can bend my liking to your need, I will not resist such a mind.

But to the last, think not that you had needed this desire, if I had seen a time so fit, and it so ripe to be denounced. The greatness of the cause therefore, and need of your returns, doth make me say that which I think the wise may easily guess, that as a short time for so long continuance ought not to pass by roat, as many tell their Tales, even so, as cause by Conference with the Learned shall show me matter worth the utterance for your behoof, so shall I more gladly persue your good after my dayes, than with all my Prayers whilst I live be means to linger my living thread. And thus much more than I thought will I add, for your Comfort, I have good

Record in this place, that other means than you mention, have been thought of, perchance for your good as much as for my surety no less; which if presently and conveniently could have been Executed, it had not been now deferred or over-slipped. But I hope I shall die in quiet with Nunc dimittis; which cannot be, without I see some glimpse of your following surety after my graved bones.

Nota, That neither the foregoing Petition, nor this latter Answer of her Majesty, are found in the Original Journal-Book of the Upper-House; but now the residue of the passages of the said Journal do for the most part follow out of the same.

On Wednesday the 6th day of November, the Bill for declaring of the manner of making and Consecrating of the Archbishops and Bishops of this Realm, to be good, lawful and perfect, was read tertiâ vice, quæ cum quadam provisione annex. in loco alterius provisionis adempt. abscess. & disannex. communi Procerum assensu conclusa est, dissentientibus Comite Northumberland, Comite Westmoreland, Comite Worcester, & Comite Suffex, Vice-Comite Montague, Domino Morley, Domino Dudley, Domino Dacre, Domino Mounteagle, Domino Cromwell, & Domino Mordant, & postea, cum Billâ for the annexing of Hexhamshire unto the County of Northumberland, and the Ecclesiastical Jurisdiction of the same, unto the See or Bishoprick of Duresm, deliberata fuit Magistro Vaughan & Doctori Tale, in Domum Communiem deferend.

Dominus Capitalis Justiciarius continuavit præsens Parliamentum usq; in diem Jovis prox.

On Thursday the 7th day of November, Three Bills of no great moment, had each of them one reading; of which the first being the Bill for Confirmation of Leases to be made by Morris Ridley and Joan his Wife, was read primâ vice.

Dominus Capitalis Justiciarius continuavit præsens Parliamentum usq; in diem Sabbathi prox. ix. Novembris.

On Saturday the 9th day of November, the Bill for the graving of Alneagers Seals, to be within the Tower of London, was read secundâ vice, & commissa est Domino Marchioni Winton, Thesaurar. Angliæ, & Domino Capitali Baroni, ad supervidend. considerand. & amendand.

Nota, That here the Lord Chief Baron, being but an Assistant of the Upper House, and no Member thereof, is made a joint-Committee with the Lord Marquess of Winchester, of which see more on Thursday the third day of October foregoing.

The Bill also to restrain the Carriage of Woolls of the growth of Pembroke, Carmarthen and Cardiganshires, out of the Counties where they grew, was read secundâ vice, & commissa ad ingrossand. And the Bill lastly for the repealing of a branch of a Statute made An. 32 H. 8. for the Statute of Horses was read secundâ vice & commissa Episcopo Elien. Domino Clinton, Admiral. Domino Willoughby, Domino Sheffield, Domino North, Domino St John de Bletsoe, & Servienti Carns.

Nota, That a Serjeant being but an Attendant upon the Upper House, and no Member thereof, is made a joint-Committee with the Lords. Vide touching this matter, on Thursday the 3^d day of October foregoing.

Then the Clerk read openly the Commission following.

ELizabeth, by the Grace of God, Queen of England, France and Ireland, Defender of the Faith, &c. To our Trusty and well Beloved Councillor, Sir Nicholas Bacon K^t, Lord Keeper of our Great Seal of England, and to our Right Trusty and right well Beloved, Sir Robert Catlin Knight, Chief Justice of the Pleas before us to be holden, Greeting. Whereas We, upon consideration that you the said Lord Keeper of our Great Seal, were lately sore visited with Sickness, that you were not able to travel to the Upper House of this our present Parliament, holden at Westminster, nor there to supply the room and place in the said Upper House, amongst the Lords Spiritual and Temporal there Assembled, as to your Office appertaineth; did therefore by our Letters Patents of Commission, bearing date the 25th day of October, in this present eighth Year of our Reign, nominate, appoint and authorize you the said Sir Robert Catlin, from day to day, and time to time, from thenceforth, during our pleasure, to use and occupy the place and room of the said Lord Keeper, in our said Upper House of Parliament, amongst the said Lords Spiritual and Temporal there Assembled; and there to do and execute in all things from day to day, and time to time, as the said Lord Keeper of our Great Seal should, or might do, if he were there present, using and supplying the same place; as in our said Letters Patents it doth and may at large appear. And forasmuch as we understand, that you the said Lord Keeper of our Great Seal, are at this present in such state of health, as ye are well able to travel to the said Upper House of our Parliament, and there to supply the said room and place your self, as heretofore ye have done, We do therefore by these presents fully and absolutely determine our pleasure, touching any further Execution by you the said Sir Robert Catlin, of the said Commission before-mentioned; And therefore we do signify to you the said Sir Robert Catlin, that our pleasure is, that ye do from the date of these presents, surcease from the Execution of the said Commission, and every part thereof. And we do also by these presents Command and authorize you, the said Lord Keeper of our Great Seal, from henceforth, and from time to time hereafter to resort to your accustomed room and place, in our said Higher House of Parliament, and there to do and Execute from time to time, all things that appertaineth to your office there to do, in such manner and form, as though no such Commission had been directed and made, any Clause, Sentence or matter in our said Letters Patents of Commission, or any other thing to the contrary in any wise notwithstanding, and these presents shall be your Warrant and discharge for the same. In Witness whereof we have caused these our Letters to be made Patents. Wit-
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ness our Self at Westminster the 8th day of November, in the Eighth Year of Our Reign.

There are no other passages of this day set down in the Original Journal-Book of the Upper House, after the publick reading of the foregoing Commission, by which the Lord Keeper was resettled in his former place in the said House, saving the Entrance of the Continuation of the Parliament in manner and form following, viz.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; diem Lunæ prox. xi. die Novembris.

November the 10th Sunday.

On Monday the 11th day of November, Three Bills of no great moment, had each of them one reading; of which the first being the Bill to restrain the Carriage of the Woolls of the growth of Pembroke, Carmarthen and Cardigan-shires, out of the Counties where they grow, was read *tertiâ vice*, & *communi omnium Procerum assensu conclusa*.

Nota, That the daily continuance of the Parliament entred in these words, *Dominus Custos magni Sigilli continuavit præsens Parliamentum*, &c. being now hereafter performed in the residue of this Journal according to the ordinary use by the Lord Keeper only, is for the most part omitted.

On Tuesday the 12th day of November, the Bill for the Lady Cobham's Jointure, was read *secundâ vice*.

On Wednesday the 13th day of November, the Bill for the Lady Cobham's Jointure, was read *tertiâ vice*, *quæ communi omnium Procerum consensu conclusa est*, & *postea cum Billâ* to restrain the Carriage of Woolls of the growth of Pembroke, &c. was delivered to Serjeant Carus and Doctor Huick, to be carried to the House of Commons.

Three Bills were brought up to the Lords from the House of Commons, of which the last being the Bill for Confirmation of Letters Patents made for the Hospital of St Bartholomew in Gloucester, was read *primâ vice*.

On Thursday the 14th day of November, Three Bills of no great moment, had each of them one reading; of which the first being the Bill for the avoiding of penal Laws, was read *primâ vice*.

On Saturday the 16th day of November, to which day the Parliament had been last continued on Thursday foregoing, Four Bills of no great moment, had each of them one reading; of which the third being the Bill for the better Execution of penal Laws, was read *secundâ vice*, and committed unto the Bishop of Worcester, Viscount Mountague, the Bishop of London, the Bishop of Winchester, the Lord Willoughby, the Lord Loughborough, the Lord Hunsdon; and to the Lord Chief Baron, Justice Welch, and the Attorney General.

Two Bills lastly, were brought up to the

Lords from the House of Commons; of which the second being the Bill that in divers Counties there shall be but one Sheriff in one County, was read *primâ vice*.

On Monday the 18th day of November, to which day the Parliament had been last continued on Saturday foregoing, the Bill to avoid excess in Apparel, was read *primâ vice*.

On Tuesday the 19th day of November, Three Bills of no great moment, had each of them one reading; of which the first being the Bill to avoid excess in Apparel, was read *secundâ vice*, and committed unto the Marquess of Northampton, the Earl of Suffex, the Earl of Huntington, the Earl of Leiceſter, Viscount Mountague, the Bishop of London, the Bishop of Winton, the Bishop of Hereford, the Bishop of Worcester, the Bishop of Lincoln, the Lord Lumley, the Lord Skeffeld, the Lord Pagett, the Lord Hunsdon, Justice Welch and Justice Southcot.

And the third being the Bill to enable the Town of Woollmarsh in the County of Surrey, to use Cloth-making, was read *tertiâ vice*, & *communi omnium Procerum assensu conclusa*.

On Wednesday the 20th day of November, Three Bills of no great moment, had each of them one reading; of which the last being the Bill for the avoiding of wrongful vexation upon the Writ of *Latitat*, was read *secundâ vice*, & *commissa ad ingrossand*.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Jovis prox. horâ nonâ. At which time the Lords Spiritual and Temporal did meet and nothing done, but the Parliament continued by the Lord Keeper of the Great Seal of England, until Saturday the 23th day of November.

On Saturday the 23th day of November, Three Bills had each of them one reading; of which the second being the Bill for confirmation of Letters Patents made for the Hospital of St Bartholomew in Gloucester, was read *tertiâ vice*, and by common consent of the Lords concluded.

The Bill also for avoiding of wrongful vexation upon the Writ of *Latitat*, was read *tertiâ vice*, which by common consent of the Lords was concluded, and by Serjeant Carus and R. R. sent down to the House of Commons.

On Monday the 25th day of November, to which day the Parliament had been last continued on Saturday foregoing, three Bills had each of them one reading; of which the second being the Bill for the more expedition of the Administration of Justice in the Counties Palatine of Lancaster and Durham, *communi omnium Procerum assensu conclusa est*.

On Tuesday the 26th day of November, the Bill for the Assurance of a Jointure to the Lady Mary, Wife to Edward Lord Stafford, was read *tertiâ vice*, & *communi omnium Procerum consensu conclusa*.

The said Bill for the Lady Staffords Jointure, and the Bill for the more speedy expedition of the

the Administration of Justice in the Counties Palatine of *Lancaster* and *Durham*, were delivered to Serjeant *Carus*, and Mr *Vaughan*, in *Domum Communem deferend.*

On *Wednesday* the 27th day of *November*, and likewise on *Thursday* the 28th day of the same Month, the Lords did meet and nothing done, save only the continuance of the Parliament by the Lord Keeper in Ordinary Form, unto *Monday* the second day of *December* following.

On *Monday* the 2^d day of *December*, Two Bills had each of them one reading; of which the second being the Bill for the erection of a Free School at *Denbigh* in *Wales*, was read *primâ vice*.

Six Bills were sent up to the Lords from the House of Commons; of which the first being the Bill for the repeal of a Statute, made *Anno 7 Edm. 6.* for the prices of Wines sold by retail, was read *primâ vice*; And the third being the Bill declaring the manner of making and Consecrating of the Archbishops and Bishops of this Realm, to be good, lawful and perfect, returned *cum provisione annex.* was read *primâ, secundâ & tertiâ vice, & communi assensu conclusa.*

On *Tuesday* the 3^d day of *December*, Three Bills had each of them their second reading; of which the two last were, one for avoiding tedious Suits in civil and marine Causes, and another to alter the nature of Gavelkind in the Lands of *Thomas Brown Esq;*

On *Wednesday* the 4th day of *December*, Two Bills of no great moment, had each of them one reading; of which the second being the Bill for Confirmation of certain privileges granted by the Queens Majesty, for converting of Copper into Latten, and for the viewing and searching all other kinds of Metals and Treasures, was read *primâ vice.*

The Bill that in divers Counties there shall be but one Sheriff of one County, was committed to the Earl of *Huntington*, Viscount *Mountague*, the Bishop of *Hereford*, the Lord *Mountjoy*, the Lord *Darcie*, the Lord *Willoughby*, the Lord *North*, Justice *Brown*, and the Attorney General.

On *Thursday* the 5th day of *December*, Two Bills had each of them one reading; of which the second being the Bill for Confirmation of certain Privileges granted by the Queens Majesty for the converting of Copper into Latten, and for the mining and searching of all kind of Treasures and Metals, was read *secundâ vice, & commissa.*

The Bill also for the repeal of the Statute made *Anno 7 Edm. 6.* for the prices of Wines sold by retail, was read *tertiâ vice, & communi omnium Dominorum Spiritualium & majore parte Dominorum Tempor. consensu quassata est.*

Four Bills were brought up to the Lords from the House of Commons, of which the two last were, one for the Town-Clark of *York*, and another touching the Patents made for making of Allom and Copperas, within

the Realms or Dominions of the Queens Majesty.

On *Friday* the 6th day of *December*, Three Bills had each of them one reading; of which the second being the Bill touching Letters Patents made for the making of Allom and Copperas, within the Realms or Dominions of the Queens Majesty, was read *primâ vice.*

On *Saturday* the 7th day of *December*, Six Bills had each of them one reading; of which the fourth being the Bill to alter the nature of Gavelkind in the Lands of *Thomas Brown Esq;*, was read *tertiâ vice, & communi omnium Procerum consensu conclusa, dissentiente Vicecomite Mountague.*

The Bill also for Execution of penal Laws, was read *secundâ vice, & communi omnium Procerum assensu conclusa est, cum quadam Schedulâ annex. & deliberat. Servienti Carus, & Attornato Generali, in Domum Communem deferend.*

On *Monday* the 9th of *December*, Three Bills had each of them one reading; of which the first being for repeal of the Act made *Anno 22 Hen. 8.* for the Statute of Horfes, was read *tertiâ vice & communi Procerum assensu conclusa.*

On *Tuesday* the 10th day of *December*, Six Bills had each of them one reading; of which the third being the Bill for the Bowyers of *Westm.*, &c. And the fourth for the confirmation of Letters Patents made for the making of Allom and Copperas, were each of them read *tertiâ vice, & communi omnium Procerum consensu conclusa.*

After the reading of the three first Bills this day, three Bills were sent to the House of Commons, by Serjeant *Carus*, and the Attorney General; viz. the first for the Statute of Horfes; The second for the Bowyers of *Westm.*, And the third for Allom and Copperas.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Mercurii, viz. undecim. Decembr.

On which eleventh day of *December* the Lords met, but nothing done, but the Parliament continued in usual Form by the Lord Keeper, until *Thursday* the next day following.

On *Thursday* the 12th day of *December*, Two Bills had each of them one reading; of which the second being the Bill for the Office of Town-Clark of the City of *York*, was read *tertiâ vice, & communi omnium Procerum assensu conclusa, quæ deliberat. fuit Servienti Carus & Generali Attornato, in Domum Communem deferend. pro certis causis emendand.,* and to them was delivered the Bill of Subsidy.

Four Bills had each of them one reading; of which the second being the Bill for Confirmation of the late new Erected Deaneries and Prebends, was read *secundâ vice*, and committed to the Archbishop of *York*, the Earl of *Huntington*, Viscount *Mountague*, the Bishop of *Durham*, the Bishop of *Chester*, the Bishop of *Lincoln*, the Bishop of *Bath*, the Lord *Paget*, the Lord *Hastings* of *Loughborough*, the Lord *S^t John* of *Bletsoe*,

Bletſoe, Juſtice Welch, Serjeant Carus, Dr Huick, and Dr Yale.

Four Bills were ſent up to the Lords from the Houſe of Commons, and delivered after the reading of the Bill laſt before-mentioned; of which the two laſt were, one touching Foreign Wares and Apparel, ſold by Merchants in groſs, which had its firſt reading; And another to explain a branch of a Statute made Anno 27 Henr. 8. touching Colledges and Free-Chappels.

On Friday the 13th day of December, a Proviſo added to the Bill that in divers Counties there ſhall be but one Sheriff in one County, was read *primâ vice* & *commiſſa ad ingroſſand*.

The Proviſo added to the Bill for the Aſſurance of the Jointure of the Lady Mary, Wife to Edward Lord Stafford, was read *ſecundâ vice*.

Three Bills had each of them one reading; of which the laſt being the Bill touching Explanation of a branch of a Statute made 37 Henr. 8. concerning Colledges and Free-Chappels, was read *primâ vice*.

On Saturday the 14. day of December, Five Bills had each of them one reading; of which the ſecond being the Bill for the puniſhment of Riots and Routs, and unlawful Aſſemblies, was read *ſecundâ vice*, & *commiſſa Archiepiſcopo Eber., Duci Norfolciæ, Comiti Salop; Comiti Huntington, Comiti Leiceſter, Vice-Comiti Mountague, Epiſcopis London, Dunelmen. & Winton, & Domino Morley, Domino Cobham, Domino Paget, Domino North, Domino Hunſdon, & duobus Capital. Juſticiar. & Attornato General., ad conſiderand. & emendand.*

After the reading of the firſt Bill, two Bills were brought from the Houſe of Commons, of which the ſecond being the Bill for Uniformity in Doctrine, was read *primâ vice*.

On Monday the 16. day of December, to which day the Parliament had been laſt continued on Saturday foregoing, Four Bills had each of them one reading; of which the firſt being the Bill, that in divers Counties there ſhall be but one Sheriff, *cum quadam Proviſione concluſa eſt*; And with the Bill for Alneagers Seals, and the Bill for Tryals in Merionethſhire, was ſent by Serjeant Carus, and Mr Attorney General, to the Houſe of Commons.

On Tuesday the 17. day of December, Three Bills had each of them one reading, of which the firſt being the Bill for the repairing the Piere of Hartland in Devon. was read *ſecundâ vice*, but no mention is made either of the committing of it to be ingroſſed, or referring of it to Committees. *Vide de iſtâ materiâ in die ſequenti.*

After the reading of which ſaid Bill, Four other Bills were brought up to the Lords from the Houſe of Commons, of which the two laſt were, one touching Goal-Delivery in the twelve Shires in Wales, &c. And another for the Grant of Fifteenths and Tenths, and of one Subſidy by the Temporality.

Dominus Cuſtos magni Sigilli continuavit præ-

ſens Parliamentum uſq; ad horam ſecundam ejusdem diei in Pomeridiano.

About which hour the Lord Keeper; and divers other Lords, both Spiritual and Temporal, met, and the Bill of the Grant of one Fifteenth or Tenth, and one Subſidy of the Temporality, was read *primâ vice*; Although there is no entrance at all made (in the Original Journal-Book of the Upper Houſe, through the great negligence of Francis Spilman, at this time Clerk of the ſame) of the names of any of thoſe Lords that were preſent this Afternoon.

On Wednesday the 18th day of December, Three Bills had each of them one reading; of which the firſt being the Bill for the Grant of one Fifteenth or Tenth, and of one Subſidy by the Temporality, was read *ſecundâ vice*.

Nota, That there is no mention made in the Original Journal-Book of the Upper Houſe, of the referring of this Bill upon the ſecond reading to Committees, or of ordering it to be ingroſſed; of which there was a like Preſident on the day foregoing. And thus alſo in the Parliament in Anno 39 Regiæ Elizabethæ, upon Saturday the 28th day of January, the Bill for Confirmation of Statutes Merchants, acknowledged in the Town-Corporate of New-Caſtle upon Tyne, was neither committed nor Ordered to be ingroſſed upon the ſecond reading; To which purpoſe finally there were many Preſidents in the Parliament following, in An. 45 Regi. Eliz. viz. on Wednesday the 2^d, on Friday the 4th day, on Monday the 7. day, and on Wednesday the 9. day of December. *Vide Febr. 13. in An. 1 Eliz.*

Dominus Cuſtos magni Sigilli continuavit præſens Parliamentum uſq; ad horam primam ejusdem diei in Pomeridiano.

About which hour, the Lord Keeper, and divers other Lords, both Spiritual and Temporal, met, and their names are accordingly marked in the Original Journal-Book of the Upper Houſe, the manner of which is thus; viz. The Clerk, or ſome by his appointment, having written the names of the Lords Spiritual and Temporal, in ſuch Form as they are ſet down upon Friday the 15. day of January, in the firſt Seſſion of this Parliament, in Anno 5 Regi. Eliz. (*Quod vide*) he ſigneth the name of every Lord that is preſent, with theſe Letters Pr. (on the dexter Margent of the ſaid name) and if the Houſe ſit again in the Afternoon, and any of the ſame Lords be preſent, then alſo, before thoſe names that had been marked in the firſt part of the day, are the ſame Letters added again to the firſt mark; and then the ſigning and marking is thus, Pr. Pr. in the Margent aforeſaid, which ſheweth he was preſent twice the ſaid day; *Vide plus* concerning this matter upon Tuesday the 21. day of March, in the firſt Parliament of her Majesties Reign, holden in Anno 1 Eliz.

The Lords Spiritual and Temporal being met in the Afternoon, as aforeſaid, Two Bills had each of them one reading; of which the firſt was

was the Bill for the Grant of one Fifteenth, one Tenth, and of one Subsidy by the Temporality; *que communi omnium Procerum assensu conclusa*. And the second being the Bill for the Alneagers Fees in Lancaster, and for length, breadth and weight of Cottons, Frizes and Rugs, was read *secundâ vice*.

Seven Bills were brought up to the Lords from the House of Commons, of which the two first were, that two several Sheriffs may be in the Counties of Buckingham and Bedford, and for uttering of Caps, and true making of Hats and Caps.

On Thursday the 19. day of December, Six Bills had each of them one reading, of which the third being the Bill for reformation of excess of Apparel, was read *tertiâ vice & conclusa*, & *missa ad Domum Communem, per Servientem Carus, & Attornatum General*.

The Parliament was continued by the Lord Keeper in accustomed Form, unto one of the Clock in the Afternoon, about which time he and divers other Lords, both Spiritual and Temporal, meeting, Three Bills had each of them several readings, of which the first being the Bill for the keeping the Records within the twelve Shires of Wales, and divers other Ordinances, was read *primâ vice*. And the third for the paving of Kentish-street, had its second and third reading; and was thereupon concluded.

On Friday the 20. day of December, Five Bills had each of them several readings, of which the second being the Bill for the Assurance of a Jointure for the Lady Anne, Countess of Warwick, was read *primâ, secundâ & terciâ vice, & conclusa*, & *missa in Domum Communem per Servientem Carus, & Attornat. General*; And the last touching Goal-Deliveries in the twelve Shires of Wales, and for measures to be there, was read *terciâ vice & conclusa*.

Before the reading of the fifth Bill before-mentioned, Two Bills were brought up to the Lords from the House of Commons; of which the first touching Cloth-Workers, and Cloths ready wrought, to be Shipped over the Sea, was *primâ vice lecta*, & *iterum aliis Billis mediantibus sive lect. in intermedio, iterum secunda vice lect.*

The Bill that two several Sheriffs may be in Bedford and Buckingham, was read *secundâ vice*, & *quatuor aliis Billis mediantibus sive lect. in intermedio, iterum terciâ vice lect. & conclusa*.

Three Bills also had each of them one reading, of which the third being the Bill for the Incorporation of Merchant-Adventurers, for discovery of new Trades, was read *terciâ vice*; And thereupon concluded.

The Bill for Keeping of Records in the twelve Shires of Wales, and divers other Ordinances there, was read *secundâ vice*, & *commissa Episcopis Herefordens., Meneven. Cicestren., & Asaphen.*

This Afternoon finally before the reading of the last Bill, for keeping Records in Wales, &c.

A Bill was brought from the House of Commons, for Tonnage of Wares brought from beyond the Seas, which was *primâ vice lect.*, as soon as it came; and now read *secundâ vice*, & *commissa Domino Norfolciae, Comitibus Suffex & Leiceſter, Vice-Comiti Mountague, Domino Clinton, Domino Camerario & Domino Cobham.*

On Saturday the 21. day of December, Nine Bills were brought up to the Lords from the House of Commons; of which the two first were, one for the Bowyers of Westminster return'd *expedit*. And another for Assurance of the Lady Warwick's Jointure.

Four Bills also had each of them one reading; of which the first being the Bill for uttering of Caps and Hats, and for the true making of Caps and Hats, was read *terciâ vice & expedit*.

The Bill concerning Tonnage of Wares brought from beyond the Seas; And the Bill for Confirmation of Letters Patents, were each of them read *secundâ vice*.

The Bill lastly touching Cloth-Workers, and Cloths ready wrought to be Shipped over the Seas, was read *terciâ vice*, & *communi omnium Procerum assensu conclusa*.

In the Original Journal-Book of the Upper House is no entrance or mention made of the continuance of the Parliament. But it appeareth, that the House did sit in the Afternoon, for without entrance of the presence of any Lord in particular, it appeareth, that in the Afternoon two Bills were read; *viz.*

The Bill for the Almeshouse at Plymouth, And the Bill for the Provision of Grain, were each of them read *primâ vice*.

On Monday the 23th day of December, the Bill for the Confirmation of Fines and Recoveries, notwithstanding the default of the Original Writs, was read *primâ vice, cum additione & provisione annex. & cum quâdam reformatione eadem annex.*

Two Bills were brought up to the Lords from the House of Commons, of which one being the Bill for Sea-Marks, and Mariners; And another against carrying over the Sea, Rams, Lambs, or Sheep, being alive, were read each of them *primâ vice*.

The Bill lastly concerning Tonnage of Wares brought from beyond the Seas, was read *terciâ vice*, & *communi omnium Procerum assensu conclusa*.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; ad horam secundam in Pomeridiano.

About which hour the Lord Keeper, and divers other Lords, both Spiritual and Temporal, meeting, the Bill concerning Sea-Marks, and Mariners; And the Bill against the carrying over the Sea, Rams, Lambs, or Sheep alive, were each of them read *secundâ & terciâ vice*, and thereupon concluded.

Two Bills also were sent from the Lords to the House of Commons; of which the first was the Bill of her Majesties Free and General Pardon.

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The Bill for making of Salt within her Majesties Dominions; and the Bill for keeping a Market in the Mannor of *Battell* in *Sussex* upon *Thursday*, were each of them read *primâ & secundâ vice*.

Two Bills lastly had each of them their first reading; of which the second was the Bill for the Inning of *Plumstead-Marsh*.

On *Tuesday* the 24th day of *December*, the Bill touching the transporting of Tann'd Leather made of Sheep-Skins, and the Bill for Inning of *Plumstead-Marsh*, being surrounded, were each of them read *secundâ & tertiâ vice*, and thereupon concluded.

Three Bills also had each of them one reading, of which the first being the Bill for keeping the Market in the Mannor of *Battell* in *Sussex* upon *Thursday*, was read *tertiâ vice*, & *conclusa*.

The Bill finally for continuance of certain Statutes, was read *primâ*, *secundâ & tertiâ vice*. *Quod nota*, that it had three readings together.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; ad diem Lunæ tricesimum diem Decembris.

On *Monday* the 30th day of *December*, the Lord Keeper and divers other Lords, both Spiritual and Temporal, met, but nothing was done, save only the continuance of the Parliament by the Lord Keeper unto *Thursday* the 2^d day of *January* following; upon which day in the Afternoon the Parliament was Dissolved.

On *Thursday* the 2^d day of *January*, the Lord Keeper and divers other Lords, both Spiritual and Temporal, were present (although through the negligence of *Francis Spilman* Esq; at this time Clerk of the Upper House, it doth not certainly appear who they were in the Original Journal-Book of the same House) but no Bill (as it seemeth) was read, or any thing else done; but only the Parliament continued by the Lord Keeper, which is there Entred in manner and form following, *viz.*

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; ad horam primam in Pomeridiano.

Nota, That it appears in the Original Journal-Book of the House of Commons, that after the Parliament had been continued, as aforesaid, Doctor *Huick* was sent down to the said House, from the Lord Keeper, to give them notice thereof.

Nota also, That in the Original Journal-Book of the Upper House, there is no mention made of any thing that was done, or of any Speech used, nor touching the Dissolution of this present Session of Parliament, but only that her Majesty was there present, with divers Lords both Spiritual and Temporal; and therefore I have supplied the whole Proceedings of this Afternoon at large, out of a very Copious and Elaborate Anonymous Memorial thereof, I had by me; which also I have in some places supplied out of the Original Journal-Book of the House

of Commons, although it be so little and short, as it may rather be called matter of Confirmation than Enlargement; in which also it shall lastly suffice to touch briefly, that I have always observed, contrary to the ordinary course, to insert all such Speeches and other passages (as largely as by any good Authority I might) into the Journal of the Upper House, in which House they were agitated and uttered, and to the Journal of which House they do most properly belong, and do only for Order sake add some short expressions thereof in the Journals of the House of Commons. The said Passages of this Afternoon do now next ensue out of the above-mentioned Manuscript Memorial.

The Queens Majesty between two or three of the Clock in the Afternoon (of this present *Thursday* being the second day of *January*, in the ninth year of her Reign) came by Water from *Whitehall*, and Landed on the backside of the Parliament-Chamber. And so the Earl of *Westmorland* bearing the Sword afore her, the Lady *Strange* the Train, with the Lords in their daily Apparel, and Heralds attending on her, she proceeded up into the Privy-Chamber, to prepare her self in her Parliament-Robes, during which time the Lords and Justices put on their Parliament-Robes, and took their places.

And upon the upper Wooll sack sate the Lord Keeper, till the Queen came, and then went to his place, at the Rail on the right hand of the Cloth of State.

On the Wooll sack on the Northside, sate Sir *Robert Catlin*, and Sir *James Dyer*, the two Chief Justices, and *Richard Read* under, and Mr *Gerard* the Queens Attorney.

On the Sack on the Southside, sate Sir *William Cordall* Master of the Rolls, Justice *Brown*, Justice *Welsb*, and Serjeant *Carus*.

On the Westside sate *Vaughan* and *Tale*, Masters of the Chancery, Mr *Spilman* Clerk of the Parliament, Mr *Powle* Deputy and Joint-Patentee with Mr *Martin*, Clerk of the Crown; afore which Sack stood a little Table.

Then the Queens Majesty being Apparellled in her Parliament-Robes, with a Caul on her Head, came forth, and proceeded up and took her Seat; the Marquess of *Northampton* carrying the Cap of Maintenance, and stood on her right hand, and the Earl of *Westmorland* the Sword at her left hand, with the Heralds and Serjeants at Arms before her; the Queens Mantle born up on either side from her Arms, by the Earl of *Leicester*, and the Lord of *Hunsdon*, who always stood still by her for the assisting thereof, when she stood up; her Train born by the Lady *Strange*, assisted by the Lord Chamberlain, and Vice-Chamberlain. At the left hand of the Queen, and Southside, kneeled the Ladies; and behind the Queen, at the Rail, stood the Lord Keeper on the right hand, the Lord Treasurer on the left hand, with divers young Lords, and Peers Eldest Sons.

Then all being placed, Mr *Onslow* the Speaker

was brought in, between Sir *Francis Knolles* Vice-Chamberlain, and Sir *Ambrose Cave* Chancellor of the Dutchy; and after Reverence done, proceeded down to the Wall, and from thence came up to the Rail, in the way making three Reverences; and standing there, made other three like Reverences, and then began his Oration, as followeth.

MOST Excellent and Vertuous Princeſſes, &c. Where I have been Elected by the Knights, Citizens and Burgeſſes of this your neether Houſe to be their Mouth, or Speaker, and thereunto appointed and allowed by your Maſteſty, to ſupply the ſame room, to the bewraying of my wants, ſpecially, that thereby I ſhall be forced utterly to diſcover the barrenneſſe of my learning before this Noble Aſſembly, which not a little grieveth me, and would gladly be excuſed, conſidering the true ſaying, How there is no difference between a wiſe Man and a Fool, if they may keep ſilence; which I require. But again, conſidering your Maſteſties Clemency, taking in good part the good will of the party, for want of ability, which putteth me in remembrance, and good hope perſwading me, that you will not take your ſaid Clemency from me, contrary to your Nature.

Again, when I conſider my Office, as Speaker, it is no great matter, being but a Mouth, to utter things appointed me to ſpeak unto you, and not otherwiſe; which conſiſteth only in Speaking, and not in any other Knowledge; whereby I gather how it is neceſſary, I ſpeak ſimply, and plainly, according to the truth and truſt repoſed in me. And thus, conſidering whoſe Mouth I am, which choſe me to ſpeak for them, being the Knights, Citizens and Burgeſſes, who were not alſo by the Commons choſen for their Eloquence, but for their Wiſdom and diſcretion, by this means being fit men to whom the Commons have committed the care and charge of themſelves, Wives and Children, Lands and Goods, and ſo in their behalf to foreſee, and take order for all things neceſſary. Thus they being Choſen by the plain Commons, it is neceſſary they Elect a plain Speaker, fit for the plain matter, and therefore well provided at firſt to have ſuch a one as ſhould uſe plain words, and not either ſo fine that they cannot be underſtood, or elſe ſo Eloquent, that now and then they miſſ the Cuſhion.

But now upon occaſion of beholding your Grace and this Noble Aſſembly, I conſider the manifold and great benefits, which God ſuddenly hath ſent unto this Country; for although God hath granted the benefit of Creation and Conſervation, with many other Commodities, to other Nations of the World, yet this our Native Country he hath bleſſed, not only with the like, but alſo with much more fruitfullneſſe than any other; of which great and ineſtimable benefit of Gods preferment, which appeareth better by the want that others have of the ſame, I am occaſioned now to ſpeak, the rather to move and ſtir up our hearts, to give moſt hearty thanks to God for the ſame.

Now to ſpeak of Government by Succeſſion, Election, Religion, or Policy; Firſt, if the Body ſhould want a Head, it were a great Monster; ſo it is likewiſe, if it have many Heads, as if upon every ſeveral Member were a Head. And to ſpeak of one Head; although in the Body be divers Members, which be made of Fleſh, Bones, Sinews and Joints, yet the one Head thereof governeth wiſely the ſame; which if it ſhould want, we ſhould be worſe than wild Beaſts, without a Shepherd, and ſo worthily be called a Monſtrous Beaſt.

Again, If the Body ſhould be Governed by many Heads, then the ſame would ſoon come to deſtruction, by reaſon of the Controverſy amongſt them, who would never agree, but be deſtroyed without any Foreign Invaſion; therefore God ſeeth it is needful, that the people have a King, and therefore a King is granted them; and ſo therefore the beſt Government is to be ruled by one King, and not many, who may maintain and cheriſh the good and Godly, and puniſh the Ungodly and Offenders.

As for Government by Election, in that is great variance, partiality, ſtrifes and part-takings. As for Examples, amongſt the reſt take out one, which is called the moſt Holy, as that of the Pope; and weigh how holily and quietly it is done, called indeed holy and quiet, but utterly unholy and unquiet, with great part-takings and ſtrifes.

Now touching Religion. To ſee the Divine Providence of God, how that many Nations be Governed by one Prince, which were impoſſible, but that God Ordereth it ſo, by whom the Order of Regiment is appointed, and that in his Scriptures; wherefore the Subjects ought to obey the ſame, yea although they were evil, and much more thoſe that be good. So God hath here appointed us, not a Heathen, or unbelieving Prince, as he might, but a Faithful, and one of his own Children, to govern us his Children: in which Government the Prince ſerveth God two ways; as a Man, and as a King. In that he is a Man, he ought to live and ſerve God, as one of his good Creatures; And in that he is a King, and ſo Gods ſpecial Creature, he ought to make Laws whereby God may be truly worſhipped, and that his Subjects might do no injury one to another, and ſpecially to make quietneſſe amongſt the Miniſters of the Church; to extinguiſh and put away all hurtful and unprofitable Ceremonies in any Caſe contrary to Gods word; in which point we have in your Maſteſties behalf great thanks to give unto God, in ſetting forth unto us the Liberty of Gods word, whereof before we were bereaved, and that you have reformed the State of the corrupt Church, now drawing Souls out of dangerous errors, which afore by that Corruption they were led and brought unto.

And

And concerning Policy, God hath Committed to your Highness two Swords; the one of which may be called the Sword of War, to punish outward Enemies withal, and the other the Sword of Justice, to Correct offending Subjects: in which point of Policy your Majesty is not behind your Progenitors; for although at your Entrance you found this Realm in War, and ungarnished with Munition, and that with such store as never was before; yet you have dislodged our antient Enemies which were planted and placed even upon the Walls of this Realm. And concerning Policy in Laws, as Bones, Sinews and Joints be the force of a Natural Body, so are good Laws the strength of a Common-Wealth: And your Laws be consisting of two points, the Common Laws, and the Statutes.

And for the Common Law, it is so grounded on Gods Laws and Natures, that three several Nations governing here have all allowed the same; which is not inferior, but rather superior, and more indifferent than any other Law. For by our Common Law, although there be for the Prince provided many Princely Prerogatives and Royalties; yet it is not such, as the Prince can take money, or other things, or do as he will at his own pleasure without order: but quietly to suffer his Subjects to enjoy their own, without wrongful oppression, wherein other Princes by their Liberty do take as pleaseth them.

Aristotle saith, That the Life of the Prince is the Maintenance of the Laws, and that it is better to be governed by a good Prince, than by good Laws; and so your Majesty, as a good Prince, is not given to Tyranny, contrary to your Laws; but have and do pardon divers of your Subjects offending against the Laws. As now for Example, of your special Grace you have granted a general Pardon, either without our seeking, or looking for; whereby it is the better welcom. Again your Majesty hath not attempted to make Laws contrary to Order, but orderly have called this Parliament, who perceived certain wants, and thereunto have put their helping hand, and for help of evil manners, good Laws are brought forth; of the which we beseech your Excellent Majesty, so many as you shall allow, to inspire with the breath of your Majesties Power; whereby they may be quickened, which now want Life, and so be made Laws.

Furthermore concerning Payments to be made to the Prince, it is as to deliver the same to Gods Ministers, who are appointed always for our defence; wherefore your humble Subjects do offer a Subsidy, to be put into your Majesties Treasure; which although it be but as a Mite, or a Farthing, yet is the good will of them to be reputed as the poor Widows was in the Gospel; wherein I must not omit to do that which never Speaker did before; *viz.* to desire your Majesty not to regard this simple offer of ours, but therein to accept our good will, wherein your Highness hath prevented me in taking in the best part our

good will; and required us to retain in our hands part of our gift, and accounting it to be in our Purfes as in your own; and so is our Duty, besides the Policy thereof, it being for our own Defence: and also honesty, for that we have received many benefits by your Majesty; for he that doth a good turn, deserveth the praise, and not he which afterwards goeth about to reward, or doth reward the same. Also giving most hearty thanks to God, for that your Highness hath signified your pleasure of your inclination to Marriage; which afore you were not given unto, which is done for our safeguard; that when God shall call you, you shall leave of your own Body to succeed you, which was the greatest promise that God made to *David*, and the greatest request that *Abraham* desired of God, when God promised him exceeding great reward: Who said, Lord, what wilt thou give me, when I go Childless, and he that is the Steward of mine House, is mine Heir? Therefore God grant us, that, as your Majesty hath defended the Faith of *Abraham*, you may have the like desire of Issue with you. And for that purpose, that you would shortly imbrace the holy State of Matrimony, to have one, when and with whom God shall appoint, and best like your Majesty; and so the Issue of your own Body, by your Example, Rule over our Posterity; and that we may obtain this, let us give our most humble thanks to God for his manifold benefits bestowed upon us, and pray for the Reign of your Majesties Issue, after your long desired Government; and so ended and did his Obeysance.

Then the Lord Keeper (after the Queen had called him, and told him her mind) Answered to Mr Speaker, and said.

Mr Speaker, The Queen hath heard and understood your Wise and Eloquent Oration, whereby principally I gather four things; First, Disabling your self. Secondly, Concerning Governance. The third, touching the Subsidy. And lastly, In giving thanks; which also was intermingled very wisely in all parts of your Oration.

And for the first, In disabling your self, you have therein contrarily bewrayed your own ableness.

For the second, Concerning Governance, as well by Succession as Election, of Religion and Policy, in which Discourse you have dealt well, I therefore leave it, and mean to speak only a few words, as to your last word Policy.

Politick Orders be Rules of all good Acts, and touching those that you have made to the over-throwing of good Laws, they deserve reproof as well as the others deserve praise; in which like case you err, in bringing her Majesties Prerogative in Question, and for that thing, wherein she meant not to hurt any of your Liberties. And again, the grant of her Letters Patents in Question is not a little marvail, for that therein

therein you find fault ; which is now no new devised thing , but such as afore this time hath been used and put in practice, howbeit her Majesties nature is mild and full of Clemency ; so that she is loth herein to be austere; and therefore, though at this time she suffer you all to depart quietly unto your Countries for your Amendment, yet as it is needful, so she hopeth that the Offenders will hereafter use themselves well.

Again, touching the good Laws, which you have taken great pains in making ; if they be not Executed, they be not only as Rods without Hands to execute them, or as Torches without Light, but also breed great contempt : therefore look well to the Execution ; for if it be not done, the fault is in some of us, which she putteth orderly in trust to see it done.

For the third point , concerning the presentment of the Subsidy , her Majesty biddeth me say, that when the Lords Spiritual and Temporal granted it unto her, so she trusteth you will be as careful in gathering of it ; which I, and others be witness, how very unwilling and loth she was to take, but to avoid further inconvenience.

And lastly , Concerning knowledge of benefits, and giving of thanks, which you have well declared be many, yet one in comparison above all, yea a fruit above all other, and whereby you may enjoy all the other, which is her Marriage ; whereof she hath put you in good hope.

Further, I have to put you in remembrance of three things ; the first is, that where now you acknowledge benefits, and as you have cause to give thanks, so secondly, that you be not unmindful hereafter to do the like ; And thirdly, that in all your doings hereafter, you shew yourselves, that all these benefits be had in remembrance, and not forgotten ; for that it should be a thing against reason in humane Creatures ; specially therefore now it behoveth you all , as you have acknowledged benefits, and for them given thanks in the first point , so that you see the other two observed. And then her Majesty will not fail likewise thankfully to accept the same ; and so ended.

Thus far out of the before-mentioned Memorial, touching the Passages and Speeches of this present Afternoon. Now followeth the manner of her Majesties giving her Royal Assent to such Acts as passed, out of one of the Original Journal-Books of the Upper House, *durante Regno Regin. Eliz. viz. in an. 30.* although it be not so expressly set down in that of this present Session of Parliament.

Then were the Titles of all the Acts read in their due Order, and the Bill of Subsidy ; to which the Clerk of the Parliament standing up did read the Queens Answer in manner and form following.

La Roigne remercie ses loyaux subjects, accepte leur benevolence, & auxi le veut.

The Clerk of the Parliament, having read

the Queens acceptance and thanks for the Subsidy given, as aforesaid, did then upon the reading of the Pardon, pronounce in these French words following, the thanks of the Lords and Commons for the same.

Les Prelats, Seigneurs & Communes, en ce present Parliament assemblez, au nom de tous vous autres subjects, remercient tres-humblement vostre Majesty, & prient à Dieu, que il vous done en santé bonne vie & longue.

Nota, That here to the Subsidy Bill, because it is the meer gift of the Subject, the Queens Consent is not required for the passing of it ; but as it is joined with her thankful acceptance.

Nor to the Bill of Pardon, because it is originally her free gift, is any other circumstance required, than that the thankful acceptance thereof by the Lords and Commons be likewise expressed ; it being but once read in either House, before it come thus at last to be expedited. Now to all other Bills, either private or publick, the Queens express consent, though in different words, is always requisite, as followeth, *viz.*

The Bills of Subsidy and Pardon being passed in manner and form as aforesaid, then were the publick Acts read ; to every one of which allowed by the Queen, the Clerk of the Parliament read in French these words following, *viz.*

La Roigne le veut.

To every private Act that passed, the said Clerk of the Parliament read the Queens Answer in these French words following, *viz.*

Soit fait come il est desire.

These two last Answers to the publick and private Acts that pass, are to be written by the Clerk of the Parliament, at the end of every Act.

To such Acts as her Majesty doth forbear to allow, the Clerk of the Parliament reads in these French words following ; *viz.*

La Roigne s'advisera.

Then the Queen standing up, said (after she had given her Royal Assent unto nineteen publick Acts, and thirteen private) *My Lords, and others the Commons of this Assembly, although the Lord Keeper hath, according to Order, very well Answered in my Name, yet as a Periphrasis I have a few words further, to speak unto you: Notwithstanding I have not been used, nor love to do it, in such open Assemblies ; yet now (not to the end to amend his talk) but remembering, that commonly Princes own words be better printed in the hearers memory, than those spoken by her Command, I mean to say thus much unto you. I have in this Assembly found so much dissimulation, where I always professed plainness, that I marvel thereat, yea two Faces under one Hood, and the Body rotten, being covered with two Vizors, Succession and Liberty, which they determined must be either presently granted, denied or deferred. In granting whereof, they had their desires, and denying or deferring thereof (those things being so plaudable, as indeed*

indeed to all men they are) they thought to work me that mischief, which never Foreign Enemy could bring to pass, which is the hatred of my Commons. But alas they began to pierce the Vessel before the Wine was fined, and began a thing not foreseeing the end, how by this means I have seen my well-willers from mine Enemies, and can, as me seemeth, very well divide the House into four.

First the Broachers and workers thereof, who are in the greatest fault. Secondly, The Speakers, who by Eloquent Tales perswaded others, are in the next degree. Thirdly, The agreeers, who being so light of Credit, that the Eloquence of the Tales so overcame them, that they gave more Credit thereunto, than unto their own Wits. And lastly, those that sate still Mute, and medled not therewith, but rather wondred disallowing the matter; who in my Opinion, are most to be Excused.

But do you think, that either I am unmindful of your Surety by Succession, wherein is all my Care, considering I know my self to be mortal? No, I warrant you: Or that I went about to break your Liberties? No, it was never in my meaning, but to

stay you before you fell into the Ditch. For all things have their time. And although perhaps you may have after me one better Learned, or Wiser; yet I assure you, none more careful over you: And therefore henceforth, whether I live to see the like Assembly or no, or whoever it be, yet beware however you prove your Princes Patience, as you have now done mine. And now to conclude, all this notwithstanding (not meaning to make a Lent of Christmas) the most part of you may assure your selves, that you depart in your Princes Grace.

Then she spake openly to the Lord Keeper, saying, My Lord, You will do as I bad. Who then said aloud, The Queens Majesty hath agreed to Dissolve this Parliament. Therefore every man may take his ease, and depart at his pleasure. And the Queen rose, and went and shifted her, and took her Barge, and returned to the Court, being past six of the Clock; and then after her rising, she made Anthony Browne, one of the Justices of the Common-Pleas, a Knight.

That the advice and consent of the Common-Council, or Parliament, was often required for the Marrying of the Kings of England.

1. **W**illiam Duke of Normandy sending Ambassadors to King Harold, to deliver up the Crown of England to him, and to Marry the Dukes Daughter; Herald returned him this Answer. ^a *Si de filia sua, quam debui in uxorem ut asserit ducere, agit, super Regnum Angliæ mulierem extraneam inconsultis Principibus* (words of a large extension used in those times by Historians) *me nec debere nec sine grandi injuria posse adducere noverit. Malmesbury* ^b that antient and famous Historian, recites it thus. *Quæ dixi de puellæ nuptiis referens de Regno addebat præsumptuosum fuisse quod absq; Generali Senatus & Populi Conventu & Edicto alienam illi hereditatem jura-*

verit.

2. William the Son of H. I. being dead, ^c *Rex legalis Conjugii nexu olim solutus, ne quid ulterius inhonestum committeret, Consilio Radulphi Cantuar. Pontificis & Principum Regni, quos omnes in Epiphania Domini sub uno Londoniæ congregavit, decrevit sibi in uxorem Atheleidem filiam Godfredi Ducis Lotharingiæ.*

3. King John being Divorced, the new Queen was Crowned, ^d *de communi assensu & concordia voluntate Archiepiscoporum, Episcoporum, Comitum, Baronum, Cleri & Populi totius Regni.*

4. H. 3. declares ^e *Ad omnem notitiam volumus pervenire, quod de assensu Magnatum & fidelium nostrorum* (words comprehensive of a Parliament, precedent and future Authorities in the like Case considered) *acceptabimus ducere in uxorem legitimam Alianoram filiam nobilis viri P.*

Comitis Provinciæ, &c. he having had once a purpose to Marry the King of Scots younger Sister. *Proposuit Rex* (sayes the ^f Historian) *ducere in uxorem Regis Scotiæ Sororem, indignantibus Comitibus & Baronibus suis universis; non enim ut dixerunt decebat quod Rex duceret filiam natu minorem cum Hubertus Justiciarius* (meaning Hubert de Burgo) *natu majorem haberet sibi matrimonio copulatam.*

5. Edward the Second, ^h *pro solempnitate sponsalium & Coronationis, Consulted with his Parliament in his first Year.*

6. And An. 5 E. 3. the Chancellor declaring the reasons of the Assembly of the Parliament, amongst others tells them, that it was to ⁱ *consult and resolve, whether the King should proceed with France for recovery of his Seignories, en voie de amiable trete per aliance de mariage, ou de guerre.*

7. In the 23^d Year of H. 6. that great Favourite, William de la Pole, Marquess of Suffolk, then Chancellor, by the Kings Command informs the Parliament, ^k that the Marriage with Margaret the Sicilian Kings Daughter, was Contracted

^a Eadmerus Histor. Normannorum lib. 1. fol. 5. l. 44. ^b Malmesbury (obiit mortem an. post natum servatorem Jesum MCXII^o. 7 Regis Stephani, Baleus Script. Britannicæ fol. 186.) l. 3. p. 56. l. 24. in vita Willielmi. ^c Eadmerus lib. 6. p. 136. l. 21. ^d Rot. Cart. 5 Johannis m. 5. n. 33. ^e Rot. Claus. 19 H. 3. Pars 2. m. 6. dorso. Vide Stat. de an. Bissextili 21 H. 3. Rex per Consilium fidelium subditorum, and yet resolved to be a Parliament, Coke lib. 8. Case del Prince, fol. 20. ^f Mat. Westm. An. 1231. 15 H. 3. p. 290. l. 13. ^g Barones sunt majores & minores. Barones pro libere tenentibus in genere, hoc est tam in Soccagio quam per Servitium militare, Spelm. Gloss. Diatriba de Baronibus, fol. 64, 67. ^h Rot. Claus. 1 E. 2. m. 19. dorso. ⁱ Rot. Parl. 5 E. 3. n. 3. ^k Rot. Parl. 23 H. 6. n. 19.

for inducing the Peace made with France; against which the Lords, as being made without their advice, made *Protestation*; and caused it to be entred upon the *Parliament Roll*; but it appears the *Commons* agreed to it, by the Petition which they put up to the King, whereby they recommended by the Chancellors Interest, his Services and Actions, praying his Grace to accept him to his gracious favour and good acceptance, and that he was a great instrument of the intended Peace and Marriage, which the *Commons* well liked of, though the *Lords* did not.

8. The Lords Spiritual, Temporal and *Commons*, tell the King, ¹ that they had considered, how that the pretended Marriage between E. 4. and Elizabeth Gray, was made of great presumption, without the knowledge and assent of the Lords of this Land.

9. And in the Parliament 1 H. 7. the Commons by Thomas Lovell their Speaker, did ^m Petition the King to Marry Elizabeth, Edward the Fourths Daughter, which he at their request (back'd by the Lords) agreed to do: the Memorial of which is thus recorded in the *Parliament Roll*.

Memorand. quod decimo die Decembris Anno presenti Communes Regni Angliæ in pleno Parlamento coram Domino Rege comparentes, per Thomam Lovell Prolocutorem suum Regiæ Celsitudini humillime supplicabant eandem Celsitudinem affectuose requirentes, eo considerato quod auctoritate Parliamenti stabilitum est & inactitatum quod hereditates Regnorum Angliæ & Franciæ cum præeminentia & potestate Regali sint, restent, remaneant & permaneant in persona ejusdem Domini Regis & heredum de corpore suo legitime exeuntium, eadem Regalis sublimitas vellet sibi illam præclaram Dominam Elizabetham Regis Edwardi Quarti filiam in Uxorem & Conthoralem assumere, unde per Dei gratiam sobolium propagatio de stirpe Regum à multis speratarum in totius Regni consolationem consequeretur. Quare Domini Spirituales & Temporales in eodem Parlamento existentes à sedibus suis surgentes & ante Regem in Regali folio residentem stantes capitibus suis inclinatis eandem requestam fecerunt voce divisa: quibus idem Rex respondebat ore proprio, se juxta eorum desideria & requestas procedere fuisse contentum.

10. Anno Domini 1530. Anno 21 H. 8. the Parliament sent a Declaration or Letter to the Pope, touching the Marriage and Divorce of that King from Queen Katherine, telling him, that ⁿ *Causa Regiæ Majestatis nostra cujusq; propria est à Capite in membra derivata, dolor ad omnes atq;*

injuria ex æquo pertinet, and that if his Holiness did not give his consent, *nostri nobis curam esse relictam & aliunde nobis remedia conquiramus*, that is, in plain English, if the Pope would not do it, they would, which indeed afterwards they did.

To which Pope Clement the Seventh sent an Answer directed thus, *Venerabilibus fratribus Archiepiscopis & Episcopis ac dilectis filiis Abbatibus Nobilibusq; viris Ducibus, Marchionibus, Comitibus, Baronibus, Militibus, ac Doctoribus Parliamenti Regni Angliæ.*

11. The Marriage of King Philip and Queen Mary, it is true, was treated on before, yet nothing could absolutely be concluded till the whole Treaty and Articles of Marriage were solemnly and solidly debated in *Parliament*,^o which being agreed to, they confirm and establish them by a *Law*.

12. We your Majesties most humble Subjects, cannot forbear, but with all humbleness most thankfully to set before the same, our most lowly thanks for three special matters proceeding from your Majesty to our benefit, joy and comfort in this present Assembly.

First, For the more Princely consideration had of us in the forbearing at this time some portion of that, which according to the greatness and necessity of your Affairs, we of Duty meant and intended to have yielded unto your Majesty.

Secondly, For the most comfortable assurance and promise by your Majesty made and declared unto us, that for our *Weal* and *Surety*, your Majesty would Marry as soon as God should give you opportunity to accomplish the same, whereof we have received infinite comfort, and shall pray to Almighty God to further and prosper all your Majesties Actions tending thereunto, that we your most natural Subjects may speedily see some noble Issue of your Body, to continue perpetually by Descent the Succession of this Imperial Crown.

Thirdly, For the great hope and comfort we have conceived by the means of your Majesties most Honourable Speech, uttered and declared unto us, of your most Gracious and Princely Disposition and determination, when time thereunto shall serve conveniently, with the *Surety* of your Majesties Person, and the *Weal* and *Tranquillity* of your Realm, to have due regard to the further establishing of the *Succession* of your Imperial Crown.

^p *Quod omnes tangit, ab omnibus approbetur.*

¹ Rot. Parl. 1 R. 3. Cotton's Records, fol. 711. ^m Rot. Parl. 1 H. 7. n. 18. ⁿ Dominus Herbert de Cherbury, in vita H. 8. fol. 303, 305, 306, 307. ^o Parl. secundum 1 Mariæ, Rash. Stat. p. 1085, c. 2. Rash. Stat. part 2. de An. 28 Eliz. fol. 121. c. 18. ^p Rot. Claus. 23 E. 1. m. 3. dorso.

THE JOURNAL OF THE House of COMMONS.

The Journal of the Proceedings of the House of Commons, in the Session of Parliament holden at Westminster, An. 8 Reg. Eliz. A. D. 1566. which began there (after divers Prorogations of the same) on Monday the 30th of September, and then and there continued until the Dissolution thereof on Thursday the 2^d day of Jan. An. 9 Reg. ejusdem.

THIS Journal of the House of Commons in this present Session of Parliament *de An. 8 Regin. Eliz.* is not only replenished with excellent matter, touching the usual Orders and Liberties of the House, but also enriched with the unusual Election of a new Speaker, and with the extraordinary agitation of those two great businesses, touching her Majesties Marriage, and Declaration of her next Successor, in default of the Issue of her own Body. Which having been moved in the first Session of this Parliament, in *An. 5 Regin. Eliz.* and been then well accepted by her Majesty, gave her now much distast, being again too earnestly and plainly pressed by them, as her Highness did fully intimate upon the last day of this present Session, before the Dissolution thereof; in which also it is to be noted, that *Seymour Esq;* being still Clerk of the House of Commons, although this were the last Parliament in which he served, the passages thereof are recorded in the Original Journal-Book of the said House, far more imperfectly and briefly, than in the ensuing Parliaments of her Majesties Reign, when *Fulk Onslow Esq;* succeeded him in the said place.

There were finally between that Session in *An. 5 Regin. Eliz.* and this now following in *An. 8 Regin. ejusdem*, six several Prorogations; of which the first was had on *Saturday* the 10th day of *April* in the Afternoon (when the said first Session in the fifth Year of her Majesty ended) and by it the said Parliament was Prorogued unto the second day of *October* next ensuing, and on the said second day of *October*, in respect that the Plague and Pestilence was very rife in *Lon-*

don and Westminster, it was further Prorogued unto the fifth day of *October*, which should happen to be in the Year of our Lord 1564. (which fell out to be in *An. 6 Regin. Eliz.*) and on the said fifth day of *October*, in *Anno prædicto*, it was further Prorogued unto the 30th day of *April* next ensuing, which fell out to be in *Anno 7 Regin. Eliz. An. Dom. 1565*. And on the 30th day of *April* in *Anno prædicto*, it was further Prorogued unto the 4th day of *October* then next ensuing, which fell out to be in the same Year. And on the said 4th day of *October*, in *Anno prædicto*, it was again Prorogued unto the 7th day of *Feb.* next ensuing (which fell out to be in the eighth Year of her Majesties Reign.) And on the 7th day of *February* in *Anno prædicto*, it was lastly Prorogued unto the 30th day of *September* being *Monday* in *Anno supra memorato Regin. Eliz. Annoq; Dom. 1566*. in which it is to be noted, that *Thomas Williams Esq;* the Speaker of the said House of Commons, in the first Session of this Parliament; in *Anno 5 Regin. Eliz.* was not present at any of the said five Prorogations (except at the first only, as is specially set down in the Original Journal-Book of that House, *de An. isto 5 Eliz. præfuto*) although, it should seem, he were then living, and died not until after the said fifth Prorogation, and before the said sixth and last; after which this present Session in *An. 8 Regin. Eliz.* began on the foresaid 30th day of *September*, in manner and form following.

On *Monday* the 30th and last day of *September*, this Session of Parliament in *An. 8 Reginæ Eliz.* held, according to the sixth Prorogation thereof on the 7th day of *February* foregoing; whereupon both the Lords and Commons did each of them

them assemble and meet in their several Houses, as at any other ordinary time, without Pomp or Solemnity; this being, as hath been observed, no new Parliament, but only the last Session of that Parliament, which had been first begun at *Westminster*, on *Tuesday* the 12th day of *January*, in *An. 5. Regin. Eliz. Anno Dom. 1563.* and continued by many several Prorogations, unto this present *Monday*, being the last day of *September* as aforesaid.

But as soon as the Knights, Citizens and Burgeses had Assembled themselves in the House of Commons, and neither unmindful of the weighty Charge committed unto them, nor letting slip the opportunity of the time offered, had begun to make entry (as it were) to treat of that they had in hand, they immediately found their defect, and want of their Mouth and Speaker, *Thomas William Esq;* lately from them by Death bereft, which was there openly and manifestly made known unto them, by *Sir Edward Rogers* Knight, Comptroller of her Majesties Household. For remedy of which defect, they fell to Consultation, what was most meet to be done, in that so needful, unexpected, and unexperimented Cause. In which Deliberation, it was thought good, and wholly agreed upon, that the said *Sir Edward Rogers* Knight, a chief Member of that Assembly and Fellowship, accompanied with *Sir Francis Knolles* Knight, her Highness Vice-Chamberlain, *Sir William Cecill* Knight, her Majesties Chief Secretary, *Sir Ambrose Cave* K^t, Chancellor of her Highness Dutchy of *Lancaster*, four chief Members of that Assembly and Fellowship, and divers others, to the number of twelve persons, should (as sent from and with the mind of the whole House) make their relation of this so happened, unto the Lord Keeper of the Great Seal, and unto all the foresaid Lords, at that time likewise being in their Court, in mindful attendance to their Charge; And therewith also in humble wise should request them, to have their Aid and Conjunction, both for the intimation of the matter unto the Queens Highness, and also for knowledge of her Gracious good Pleasure and Will therein; all which matter and Petition, the said M^r Comptroller, assisted with the Personages and Company as aforesaid appointed, did in comely order, and discreet modesty, make manifest and known unto the said Lords. After which the Lord Keeper, first requiring the said Personages a while to withdraw themselves, then commended the Order of the matter unto the said Lords, sitting in Consultation for the same; by whom, upon considered advice therein had, it was by them all thought seeming, to signifie unto the said Commons, by the Personages aforesaid sent, that they thought it expedient and good, the said Lord Keeper, the Lord Treasurer of *England*, the Duke his Grace of *Norfolk*, and the Lord Marquess of *Northampton*, Accompanied with the four before-recited Personages of the said Commons House, being all of her Highness most

Honourable Privy-Council, should in the name of both the Assemblies, with all humbleness and due celerity, make intimation of their said Estate, and the Petition thereupon depending, unto her said Highness. To which advice the said Commons, upon knowledge had of the same, wholly assented. And then it was agreed, that the House should meet again on the Morrow following at nine of the Clock.

On *Tuesday* the first day of *October*, the Knights, Citizens, Burgeses and Barons of the House of Commons, being Assembled together in their own House, about nine of the Clock in the Forenoon, report was made unto them (by *Sir Edward Rogers* Knight, Comptroller of her Majesties Household, as is most probable, in respect that he was the Chief Privy-Councillor of the House) that her Majesty had been moved according to the former Order, for her Licence to chuse a Speaker, and that they should receive Answer thereof this day in the Upper House; and thereupon, as soon as they had notice, that divers of the Lords, Spiritual and Temporal, with *Sir Nicholas Bacon* Knight, Lord Keeper of the Great Seal of *England*, were Assembled in the Upper House, and expected their repair thither, they presently went up unto the Lords, where the Lord Keeper shewed forth a Commission from her Majesty under the Great Seal of *England*, directed unto him, which he Commanded the Clerk openly to read.

Which said Commission, as also the greatest part of the foregoing days passages, are transcribed out of the Original Journal-Book of the Upper House, and inserted here, as into the due and proper place. Which very things were in part also mentioned in the Original Book of the House of Commons, with the passages of this present *Tuesday*, although in both I have not omitted to supply some things my self, which might easily be gathered by the comparing of several things together. The Tenor of the said Commission ensueth *verbatim*.

Elizabeth, by the Grace of God, Queen of *England*, *France* and *Ireland*, Defender of the Faith, &c. To our right Trusty and right well Beloved Chancellor, *Sir Nicholas Bacon* Knight, Lord Keeper of our Great Seal of *England*, Greeting. Where in the beginning of this present Parliament holden at *Westminster* the 12th day of *January*, in the fifth Year of our Reign, the Knights, Citizens and Burgeses being Assembled in the same Year, in the same Parliament, were Commanded by us, to go to their accustomed place, and there to chuse among themselves one, to be their Speaker, according to their accustomed manner; whereupon the same Knights, Citizens and Burgeses, did Elect and chuse one *Thomas Williams Esq;* to be their Speaker, and the same their Election did afterwards certifie unto us, which we did allow and ratifie; since which time this our present Parliament hath been continued by divers Prorogations, until the 30. of *September*, in this present eighth Year of our Reign, at which day

day the Lords Spiritual and Temporal, and also the said Knights, Citizens and Burgeses being Assembled, for this present Parliament at Westminster, in their accustomed places, the said Knights, Citizens and Burgeses have declared unto us, that the said Thomas Williams since the last Session of this present Parliament, is dead. And thereupon have made their humble Suit and Petition unto us, that they might have Licence and Commandment from us, to proceed to elect among themselves, one other to be their Speaker for the rest of this present Parliament yet to come. Wherefore We, having certain and perfect knowledge, that the said Thomas Williams is dead, as they have alledged, and considering their humble Petition and Request, very meet and necessary to be granted, have appointed and Constituted you, and by these Presents, We do Will, Command, Constitute and Appoint you, for us and in our Name, to call the said Knights, Citizens and Burgeses before you, and other the Lords Spiritual and Temporal, Assembled in this our present Parliament, in the Higher House of our Parliament at Westminster, and there for us, and in our Name, to Will and Command the said Knights, Citizens and Burgeses, to resort to their accustomed place, and there to Elect and chuse amongst themselves, one sufficient and able person, to be their Speaker for the rest of this present Parliament to come; And after they have so made their Election, that then three or four of them, for and in all their names, shall signifie the same unto us. And thereupon we will further signifie our pleasure unto them, what day and time they shall present the person Elected before us, as heretofore hath been in like cases accustomed to be done; wherefore our Will and Pleasure is, that you do diligently attend about the doing of the premises, and execute the same with effect. In Witness whereof we have caused these our Letters of Commission to be Sealed with our Great Seal of England. Witness our Self at Westminster, the first day of October, in the Eighth Year of our Reign. The residue of this Days Passages follows out of the Journal of the House of Commons.

As soon as the said Commission had been read, the Knights, Citizens and Burgeses, and Barons of the House of Commons, departed into their own House; where Sir Edward Rogers Knight, Comptroller of her Majesties Household, declared unto them, that for as much as Richard Onslow Esq; her Majesties Solicitor General, was a Member of their said House, being Elected a Burgess for the Borough of in the County of *Sussex*, they would use some means to have him restored unto them (who as yet attended in the Upper House) to join with them in their Election of a Speaker. And thereupon, notice thereof being given to the Lords of the Upper House, upon Consultation had amongst them, the said Mr Onslow was sent down with the Queens Serjeant at Law, Mr Carus, and Mr Attorney General, to shew for himself, why he should not be a Member of this House, who alledging many weighty reasons, as well for his

Office of Solicitor, as for his Writ of Attendance in the Upper House, was nevertheless adjudged to be a Member of this House. And thereupon proceeding to the Election, Mr Comptroller nominated Mr Onslow to be Speaker, who humbly disabled himself, as well for non-ability of substance meet for that place, as also for his Oath made to the Queens Majesty, and required them to proceed to a new Election; upon whose Arguments the House was divided, and the number to have him Speaker was eighty two, and the contrary was sixty. And immediately Mr Comptroller, and Mr Vice-Chamberlain, brought him from his place, to the Chair, and there set him down.

On Wednesday the second day of October, between three and four of the Clock in the Afternoon, the Knights, Citizens and Burgeses of the House of Commons, repaired to the Upper House (having notice that her Majesty with the Lords and divers others were already set in the said House, expecting their coming) where Richard Onslow Esq; their Speaker Elect, was led up to the Rail or Bar at the lower end of the said House, between Sir Edward Rogers Knight, Comptroller of her Majesties Household, and Sir Francis Knolles Knight, her Highness Vice-Chamberlain, and so presented unto her Majesty; where having disabled himself in many respects, he was notwithstanding allowed by her Majesty, by the Mouth of the Lord Keeper. After which having desired free access to her Highness, and pardon for himself, if he should in any thing unwittingly fail or mistake; the Lord Keeper, by her Majesties Commandment, declared her full Assent to the said particulars. And thereupon the said Speaker, being now compleatly and perfectly invested in his place, departed back with the residue of the House of Commons, unto their own House; where according to the usual Form, one Bill had its first reading; viz. The Bill how Sanctuary-persons shall be compellable for payment of their Debts.

Nota, That the Passages of this Afternoon, containing in them the manner of the Presentment and Allowance of the Speaker, were in part transcribed out of the Original Journal-Book of the House of Commons, and in part out of a certain Anonymous Memorial I had by me, containing the foresaid matters at large; in both which, it doth appear directly, that the said Richard Onslow Esq; her Majesties Solicitor General, now Speaker of the said House, did contrary to all former and latter Presidents, only Petition her Majesty in behalf of the House, for free access; and did very ignorantly omit, or carelessly forget to mention those two other ancient and undoubted Priviledges of the same House; viz. Liberty of Speech, and Freedom from Arrests for themselves and Followers; or else perhaps he thought and conceived, that those said rights of the House were so evident and unquestionable, as they needed no further Confirmation. And doubtless, whatsoever the said

Mr *Onslow* conceived, yet the Event at this Session of Parliament, notwithstanding his omission, made it most clear, for those two great businesses of her Majesties Marriage, and declaring a Successor, coming into agitation at this time, Mr *Mounson*, Mr *Bell*, Mr *Paul Wentworth*, and others used so great Liberty of Speech, as (I conceive) was never used in any Parliament, or Session of Parliament before, or since. Nor were they any less zealous to maintain and preserve that their other priviledge of freedom from Arrests (omitted likewise by the said Mr *Onslow*) when occasion was offered, than at any other time.

A motion finally was made this day by Sir *William Cecil*, her Majesties Principal Secretary, that one *Hen. Green*, Burgess for *Hereford*, was come up to attend; and that the Plague was in the said Town at his coming away: and thereupon it was Ordered by the House, that he should not come thither but have Licence to depart.

It was Ordered, that the House should be called upon *Friday* next.

This day Mr Speaker took the Oath, which I conceive was the Oath of Supremacy, in such form and manner, as other Members of the House have it administred unto them; saving only that he takes it in the presence of the House.

On *Thursday* the third day of *October*, were divers Arguments made touching the Oath, which the new Burgesses (Elected in such places as were void since the last Session, in *An. 5 Regin. Eliz.*) should take; being, as I conceive, the same Oath of Supremacy, which the other Burgesses had taken at the beginning of the foresaid Session, in the fifth year of her Majesty. And at last it was fully resolved by the said House, that they should take the said Oath accordingly. And Mr Comptroller of her Majesties Household, was appointed to Minister the said Oath unto them; *Ut vide in die Veneris jam proximè sequente: vide Octob. 8. Tuesday postea.*

This day the Clerk of the House, and Serjeant at Arms, took the Oath, which was doubtless that of Supremacy; but how this should happen, that the Clerk of the House should take the same, I cannot guess. For he, being an Officer for Life, taketh the same only at his first coming into the said place, and never after. And at this Session of Parliament *Seymour Esq;* continued in that place, which he had held many years before; and the first Parliament in which *Fulk Onslow Esq;* his Successor did serve, was in the next following in *Anno 13 Regin. Eliz.*

Mr *Thomas Broomly*, being Elected both a Burgess for the Borough of *Guildford* in the County of *Surrey*, and one of the Knights for *London*, upon his Election to stand for *Guildford*, it was resolved by the House, that a new Writ should go out for the Choice of another Knight, to be returned for *London*.

The long Bill touching Informations with costs for the Defendant, was read the first

time; and the Bill touching Sanctuaries, was read the second time, and committed (as it seemeth) to Mr Recorder and others.

On *Friday* the 4th day of *October*, the Bill for Answering the Queens Majesties Revenues in the hands of Receivers, was read the first time.

Sir *Francis Knolles*, her Majesties Vice-Chamberlain, declared unto the House, that the Deputy to the Lord Steward, by the Constitution of the Queens Majesties Household, is taken to be Mr Treasurer, or Mr Comptroller, and the Oath to be taken before one of them, and that the Queens Majesty hath appointed Sir *Edward Rogers* Knight, her said Comptroller, to take the Oath (at this time usually accustomed to be administred) of the Knights and Burgesses, as Lord Steward for that purpose.

Nota, That there being at this time no Lord Steward of her Majesties Household, it is here said (which is worthy much observation) that by the constitutions of the Queens Household, when there is no Lord Steward, the Treasurer or Comptroller of her said Household are taken to be of common usage and course his Deputy, to all intents and purposes.

Nota also, That none of the Knights, or Burgesses, which had been present, at the first Session of this Parliament, in *an. 5 Regin. Eliz.* and had then taken the Oath of Supremacy, did now take it again; but only such of them, who had been newly Elected, and returned for places void since the ending of the said first Session, as see more at large on *Tuesday* the 8th day of this instant *October* following.

The House was appointed to be called on *Monday* next at eight of the Clock.

The Bill touching informations upon penal Statutes, with costs for the Defendants, was read the second time, and committed (as it seemeth) to Sir *Nicholas Throgmorton*, and others.

On *Saturday* the 5th day of *October*, the Bill for Answering the Queens Majesties Revenues, in the hands of Receivers, was read the second time, and committed (as it seemeth) to Mr Vice-Chamberlain, and others. The new Bill also to avoid Sanctuaries for Debt, was read the first time. And lastly, The long Bill of Apparel, as well for temporal men as spiritual, and also for Women, was read the first time, and was thereupon (as it should seem) committed unto Mr Comptroller and others, to consider of it.

On *Monday* the 7th day of *October*, the new Bill to avoid Sanctuaries for Debt, was read the second time, and Ordered to be ingrossed. After which, upon Allegations made for the exemption of the Sanctuary of *Westminster*, by the Dean thereof, a day was given unto him, on *Friday* next at nine of the Clock, to attend in the House, with his Learned Council, to shew cause, why the said Sanctuary should be exempted. *Vide* also touching this matter on *Wednesday* the 16th day of this instant *October*.

Christopher Haies a Merchant of *London*, made suit to come into the House, to put them in remembrance

membrance of some matters of weight, and being heard, thanks were given him for his Motion; but what the said Motion was, through the Clerks great negligence is wholly omitted, neither is it possible to gather by the Journal-Book it self to what end it tended, although it may not improbably be conjectured, that it was touching matters of Merchandize, or Shipping.

The business (which had been disputed of in the House on *Thursday* foregoing) was this day again debated, and (as it should seem) some moved to know, whether the Antient Knights and Burgeses still remaining, since the last Session, in *Anno 5 Regin. Eliz.* ought not to take again the Oath of Supremacy, as well as those that were newly Elected, and returned. Although it were the general Opinion, and Vote of the House (as may be gathered) that the new Knights and Burgeses only, should be sworn; yet it was committed to Mr Secretary *Cecill*, Mr Vice-Chamberlain, Mr *Kingsmill* and others (not named) to consider thereof, and to certify the House, which they did accordingly, on the Morrow following.

On *Tuesday* the 8th day of *October*, the Bill touching the ingrossing of Tallow, and Kitchen-stuff, was read the first time.

Mr *Kingsmill* one of the Committee appointed yesterday to consider whether the Antient Members of the House, which had taken the Oath the last Session in *An. 5 Regin. Eliz.* should now have it administered unto them again, or whether those only who were newly Elected, and returned at the beginning of this present Session, (and to certify thereof accordingly) made Declaration this Forenoon, by the Assent of the said Committee, that the former Knights and Burgeses should not be sworn, but those only who were newly returned.

A Motion was made that *Gardiner*, one of the Burgeses of the House, remained now Prisoner in the *Fleet*, and desired to be restored to the said House; whereupon the Master of the Rolls, and the Master of the Requests, were appointed by the House to repair unto the Lord Keeper (in the name of the same House) to know the cause of his said Imprisonment, and to demand his Restitution. To which Question and Request, the said Lord Keeper did send his Answer by them, on the Morrow following.

On *Wednesday* the 9th day of *October*, Two Bills had each of them their first reading; of which the second was the Bill for buying of course Woolls in the North parts.

The Master of the Rolls (who had been sent yesterday with the Master of Requests, unto the Lord Keeper, touching *Gardiner*, a Member of this House) declared from his Lordship, that he might be restored to this House again, with condition that upon Prorogation, or Dissolution of this present Session of Parliament, he might be Prisoner again.

Two Bills had each of them one reading, of

which the second being the Bill touching ingrossing of Tallow, and Kitchen stuff, was upon the second reading rejected.

On *Thursday* the 10th day of *October*, Two Bills had each of them their first reading; of which the second being the Bill for continuance of divers Acts of Parliament, to the end of the next Parliament, was read the first time.

The new Bill also touching Apparel of the Laity and Clergy, was this day brought into the House; but whether it was read or no, cannot certainly be set down.

The Dean of *Westminster* (who had been appointed on *Monday* the 7th day of this instant *October* foregoing, to shew the Priviledges of the Sanctuary of the said Church) had further day given him this instant *Thursday*, upon the Motion of Mr Speaker, until *Wednesday* next, being the 16th day of this instant *October* following.

On *Friday* the 11th day of *October*, the Bill that *Suffex* and *Surrey*, and other Counties, never having but one Sheriff, may have several Sheriffs, was read the first time, and under the Title of the said Bill, at the bottom of it, is written Mr Vice-Chamberlain, which is all that is usually done also under the Title of any Bill, which is committed upon the second reading; whether Mr Vice-Chamberlain or any other be one of the Committees named; such is the imperfect setting down of things in these former times: and therefore to what end Mr Vice-Chamberlains name should be added in this place, I cannot guess, unless this Bill were committed upon the first reading (as many others have been) or else that he brought in the Bill, and commended it to the House.

The new Bill against Informers upon penal Statutes, was this day brought into the House, and read the first time.

On *Saturday* the 12th day of *October*, the Bill touching prices of Barrells by Coopers, as in the Statute *Anno 24 Hen. 8.* was read the first time.

Two Bills lastly against Informers upon penal Statutes, were each of them read the second time; and (as it should seem) were thereupon committed to Mr Vice-Chamberlain and others.

On *Monday* the 14th day of *October*, Three Bills had each of them one reading; of which the third being the Bill touching prices of Barrells and Kilderkins, sold by Coopers, was upon the second reading Ordered to be ingrossed.

Upon Complaint made by Mr *Grafton* against one *Philpot*, a Pursuivant in the Court of Wards, touching two Promoters for Extortion, the said Pursuivant was sent for.

On *Tuesday* the 15th day of *October*, the new Bill touching Apparel to be worn by the Laity, and Clergy, was read the second time; and, as it should seem, was thereupon committed to Mr Vice-Chamberlain and others.

Two Bills were brought from the Lords to the House of Commons, by Mr Serjeant *Carns*,

and Mr Attorney ; of which the first was the Bill touching Fines and Recoveries ; and the second was the Bill to take away Clergy from Offenders in certain Cases.

On *Wednesday* the 16th day of *October*, Two Bills of no great moment, had each of them one reading ; of which the second being the Bill for Assurance of Fines and Recoveries to be good, from the beginning of the Reign of *Queen Eliz.* although the Original be imbezelled, was read the first time.

This Morning finally the Dean of *Westminster* (according to the appointment of the House on *Thursday* last, the 10th day of this instant *October* foregoing) was present at the Bar, with his Council ; viz. Mr. *Edmond Plowden* of the *Middle-Temple*, and Mr. *Ford* a Civilian. The Dean himself made an Oration in defence of the Sanctuary, and alledged divers Grants by King *Lucius* and other Christian Kings, and Mr. *Plowden* alledged the Grant for Sanctuary there by King *Edward* five hundred years ago ; viz. *Dat. in An. 1066.* with great reasons in Law and Chronicle ; and Mr. *Ford* alledged divers Stories and Laws for the same ; and thereupon the Bill was committed to the Master of the Rolls, and others (not named) to peruse the Grants, and to certify the force of the Law now for Sanctuaries.

On *Thursday* the 17th day of *October*, the Bill affirming the Consecration of Archbishops and Bishops within this Realm, was read the second time, and Ordered to be ingrossed.

Sir *Edward Rogers* Knight, Comptroller of her Majesties Household, moved the House to have consideration of the Queens Majesties late great and extraordinary expences, to proportion out some supply accordingly. And thereupon Sir *William Cecil* Knight, her Highness Principal Secretary, made an Excellent Declaration of the Queens great Charges in defending *New-Haven* in *France*, in repairing and increasing the Navy and Munition, her Charges also against *John Oneyle* in *Ireland* ; and immediately thereupon, all the Privy-Council being Members of this House, the Master of the Rolls, and forty others of the House, whose names are omitted through the negligence of the Clerk, were nominated and appointed to consider of the rate and payment of some supply and aid to be given to her Majesty, and Ordered to meet to Morrow in the Afternoon, in the Star-Chamber.

On *Friday* the 18th day of *October*, Four Bills had each of them one reading, of which the last being the Bill touching prices of Barrels and Kilderkins, was read the third time.

A Motion was made by Mr. *Molineux*, for the reviving of the Suit touching the Declaration of a Successor, in case her Majesty should die without Issue of her own Body ; which Suit had been first moved by the House, and their Petition preferred therein, in the first Session of this Parliament, in *Anno 5 Regin. Eliz.* and that the said business touching the Declaration of a Suc-

cessor, and the Subsidy Bill might proceed together, which Motion was very well approved by the greater part of the said House.

And thereupon divers Propositions and Reasonings ensued, this great business being once moved, although it should seem in the conclusion thereof, that the greater part of the House were resolved to recontinue the said Suit, and to know her Highness Answer : Although Sir *Ralph Sadler* Knight Banneret, one of her Privy-Council, had declared and affirmed unto the House, that he had heard the Queen say, in the presence of divers of the Nobility, that for the Wealth of the Realm, her Highness was minded to Marry. *Vide plus* concerning this matter on *Monday* the 25th day of *November* following, whither all the days are referred, on which this business was agitated.

On *Saturday* the 19th day of *October*, the Bill touching Fines and Recoveries to be good from the beginning of the Reign of *Queen Elizabeth*, although the Originals be lost, was read the second time, and, as it should seem, was committed to Mr. *Seckford* and others.

Three Bills finally were brought down to the House from the Lords, of which one was the Bill for the Indenization of *John Stafford*, born beyond the Seas ; and another for prevention of fraudulent gifts in Bankrupts.

Mr. Secretary *Cecill*, and Sir *Francis Knolles*, her Majesties Vice-Chamberlain, declared unto the House, that the Queens Majesty was, by Gods special Providence, moved to Marriage, and that she mindeth for the Wealth of her Commons, to prosecute the same.

Sir *Ambrose Cave* Chancellor of the Dutchy, and Sir *Edward Rogers* Comptroller of her Majesties Household, affirmed the same, and thereupon perswaded and advised the House to see the sequel of that, before they made further Suit touching the Declaration of a Successor.

But against this Opinion divers Lawyers of the House (although their names are negligently omitted, the chief of them being *Mounson*, *Bell*, and *Kingmill*) did argue very boldly and judiciously. And so prevailed with the greatest part of the House, as that it was resolved, contrary to the foregoing Motion of those of her Majesties Privy-Council, to recontinue their Suit touching the Declaration of a Successor, and to get the Queens Answer. And to that end it was Ordered, that all the Privy-Council being Members of this House, with forty four others (whose names are omitted in the Original Journal-Book of the said House) should meet to Morrow, to consult and advise in what manner they might move the Lords of the Upper-House, to join with them in this matter.

This is the second day in which this great business was agitated in the House of Commons, upon which doubtless those four Privy-Councillors, who first moved to have a stop made of it, did it not without her Majesties special Direction (who, as it is very probable, foresaw even then the

the great inconveniencies, which the further prosecution thereof would produce) as see more at large, that it did indeed so fall out, upon *Monday* the 25th day of *November* ensuing.

Mr Secretary *Cecill* (seeing his former Motion could not prevail to stop the foregoing resolution of the House, partly, as may be conjectured, to divert it, and partly that the matter of supply might preceed it) made a Declaration of the Rates of one Subsidy, and one fifteenth and tenth, according to the proportion of that Subsidy which had been given in the first Session of this Parliament (in an. 5 *Regin. Eliz.*) but withal proposed further days of payment.

October the 20th *Sunday*.

On *Monday* the 21th day of *October*, some Addition, which had been annex'd to the Bill touching *Coopers* (as it should seem) after the third reading thereof (which was on *Friday* the 18. day of this instant *October* foregoing) was read the first, second and third time, and so passed with the Bill.

Three other Bills had each of them one reading; of which the first being the Bill to take Clergy from Cut-Purses and Pick-Purses, was read the third time, and passed upon the Question.

These two foregoing Bills, which passed this House this Morning, were sent up to the Lords by Mr. Comptroller, with all the Committees (who were appointed on *Saturday* the 19. day of this instant *October* foregoing, in the great business touching her Majesties Declaration of a Successor) with Order also from the House to move the Lords to join with this House, in the said Suit to her Majesty (*Vide plus* concerning this business, on *Monday* the 25. day of *November* ensuing.)

Three Bills had each of them one reading, of which the first being the Bill for Sealing of Cloaths by the Alneager of *Lancaster*, was read the second time, and (as it should seem) committed to Mr. *Southerly* and others.

The Committees brought word from the Lords, upon their request, that they coming again to the Lords on the Morrow following, should have Answer.

On *Tuesday* the 22. day of *October*, the Bill Confirming the Consecration of Archbishops, and Bishops within this Realm, was read the third time, and passed upon the Question.

Doctor *Vaughan* and Mr. *Martin* brought word from the Lords, that their Lordships desired the Committees of this House, to defer their coming unto them until to Morrow. But about what business the said meeting should then be, is through the great negligence of Mr. *Seymour*, at this time Clerk of the House of Commons, wholly omitted: although it were doubtless touching those two great businesses; of her Majesties Marriage, and the Declaration of her next Successor. For the consideration of which, the House had appointed a select Committee (being the same here mentioned) on *Saturday* the 19.

day of this instant *October* foregoing, and had yesterday sent them up to the Lords, to move their Lordships to join with them in Petitioning her Majesty, touching the same. And it should seem the reason why their Lordships deferr'd their Answer this day, contrary to their appointment yesterday, was because the Archbishop of *York*, the Earl of *Northumberland*, and eighteen other Lords Spiritual and Temporal, were first appointed to repair in the Afternoon of this present *Tuesday*, unto her Majesty, to know her pleasure therein, as may directly be gathered out of the Original Journal-Book of the Upper House. *Vide Novemb. 25. postea.*

On *Wednesday* the 23. day of *October*, Mr. Comptroller and the other Committees (appointed on *Saturday* the 19. day of this instant *October* foregoing) were sent up to the Lords, with the Bill for declaring the manner of making and Consecrating of Archbishops and Bishops within this Realm to be good, lawful and perfect; and, as it should seem, had Order likewise to desire of the Lords their resolution touching those two great businesses of her Majesties Marriage, and Declaration of a Successor; and that Mr. *Bell*, Mr. *Mounson*, and Mr. *Kingmill*, three others of the said Committee, should make Declaration of the said matters unto their Lordships. For upon the return of the same Committees from the Lords, towards the end of this Forenoon, they made report to this purpose, accordingly.

Ten Bills had each of them their first reading, of which the first was the Bill to confirm by Parliament the Queens Letters Patents for an Hospital at *Gloucester*; and the second touching Demurrers after Verdict, how exceptions should be entred.

Mr. Comptroller with the rest of the Committees (which had been sent up to the Lords this Morning) returning from them, shewed that their Lordships having heard the several Declarations of Mr. *Bell*, Mr. *Mounson*, and Mr. *Kingmill*, and others of the said Committee, touching those two great businesses of her Majesties Marriage, and Declaration of her next Successor, who had spoken very amply and fully unto their Lordships, were resolved to deliberate further (as the great weight of the matters in hand required) and to send word thereof to this House accordingly. *Vide* at large concerning this business, on *Monday* the 25. day of *November* ensuing.

On *Thursday* the 24. day of *October*, the Bill for Corporation of Merchant Adventurers, for discovery of new Trades, was read the first time.

It was Ordered, that a Warrant should be granted to require a Writ for the Election of a new Burgess for *Abingdon*, in the County of *Berks*, in the place of *Oliver Hide* Deceased.

Two Bills also had each of them one reading, of which the first being the Bill touching Demurrers, how they shall be entred, was upon

the second reading Ordered to be engrossed.

On *Friday* the 25. day of *October*, Two Bills had each of them one reading ; of which the first was intituled, The Bill amended for Apparel of all States under the Prince.

Mr. Serjeant *Carus*, and Mr. Attorney, brought word from the Lords, that the Committees of this House (appointed on *Saturday* the 19. day of this instant *October* foregoing) might be sent up to their Lordships to receive their Answer. Whereupon as many of the Committees as were then present, without others in the places of those that were absent, went up to the Lords, and soon after returned, and brought word down to the House, that their Lordships would join with this said House in the Suit to her Majesty, touching her Majesties Marriage, and the Declaration of a Successor. *Vide plus* concerning this matter, on *Monday* the 25. day of *November* ensuing.

The Bill touching Cutlers of *London* to have search of that Art in divers places in and about *London*, was read the first time.

On *Saturday* the 26. day of *October*, Two Bills had each of them their first reading ; of which the first was the Bill for the Inning of the residue of *Plumsted-Marsh* ; and the second the Bill touching Informers for Execution of penal Statutes, and under it was written thus.

Wray.

A like President to which see on *Friday* the 11. of this instant *October* foregoing, where the reason of it is conjecturally discussed.

On *Monday* the 28. day of *October*, Two Bills had each of them one reading ; of which the first being the Bill touching the making of Steel, and Iron-Wyer within this Realm ; and the second being the Bill for one Fifteenth and Tenth, and also a Subsidy, as well of English Persons as Strangers, were each of them read the first time.

On *Tuesday* the 29. day of *October*, Three Bills had each of them one reading ; of which the last being the Bill Confirming the Letters Patents for the Hospital at *Gloucester*, was read the second time ; and (as it should seem) committed to Mr. *Arnold*, and others.

A Warrant was granted for a Writ to be made, and sent out for the Election of a new Burgefs for the Borough of *Graunpound*, in the County of *Cornwall*, in the place of *Christopher Perne*, reported to be Lunatick.

A Warrant also was granted to *William Jones*, Servant to Sir *Thomas Gerrard* Knight, one of the Knights for the County of *Lancaster*, to attain priviledge (that is to have his priviledge allowed) who was Summoned to Answer at *London* in a Plea of Debt of ten pound, at the Suit of *John Allen* and *Emme* his Wife.

On *Wednesday* the 30. day of *October*, the Bill touching Informers for Execution of penal Laws, was read the second time, and Ordered to be ingrossed.

The Lords sent word by Mr. Serjeant *Carus*,

and Mr. Attorney, that they have chosen of themselves thirty, and require a number of this House to be joined with them, to consult of the Suit to the Queens Majesty (touching those two great busineses of her Majesties Marriage, and Declaration of a Successor) and to send up word to Morrow of the number chosen. *Vide* concerning this matter on *Monday* the 25. day of *November* following.

On *Thursday* the 31. day of *October*, upon the report of the Bill for Sanctuaries, it was agreed to be ingrossed : but what the effect of the said report was, or by whom it was made, appeareth not in the Original Journal-Book of the House of Commons ; but may easily be collected by comparing this foregoing matter, with the former agitation of this business on *Wednesday* the 16. day of this present *October* foregoing. For this Bill of Sanctuaries having had its first and second reading on *Monday* the 7. day of the same Month, was then staid from ingrossing, upon the motion of the Dean of *Westminster*, upon his pretending that it was prejudicial to the Liberties and Priviledges of the said Church ; and thereupon having been heard himself at large, and his Council also on the foresaid 16. day of *October*, the whole business was referred to the Master of the Rolls, to consider of further, and thereupon to make report unto the House ; which, as it seemeth, having done accordingly, this present *Thursday* Morning, the House thereupon proceeded with the said Bill, and Ordered it to be ingrossed.

Two Bills of no great moment, had each of them their first reading ; of which the second was the Bill for Explanation of the Act for Chantry Lands.

The House this day (according to the request of the Lords sent down yesterday by Mr. Serjeant *Carus*, and Mr. Attorney) appointed all the Privy-Council, being Members of this House, and divers others, to repair unto the Lords this Forenoon ; which they performed immediately : But their names being very negligently omitted, by Mr. *Seymour*, at this time Clerk of the House of Commons, in this Original Journal-Book of the said House ; are therefore supplied out of that of the Upper House, being as followeth.

Sir *Edward Rogers* Knight, Comptroller of her Highness Household, Sir *Francis Knolles*, her Highness Vice-Chamberlain, Sir *William Cecill*, her Majesties Chief Secretary, Sir *Ambrose Cave* Knight, Chancellor of her Highness Dutchy of *Lancaster*, Sir *William Peeter*, Sir *Ralph Sadler*, Sir *Walter Mildmay*, Knights, all of her Highness Privy-Council, Sir *Thomas Wroth* the Master of the Rolls, Sir *Nicholas Throckmorton*, Sir *Morrice Berkely*, Sir *Peter Carew*, Sir *John Chichester*, Sir *Thomas Gargrave*, Sir *Henry Nevill*, Sir *Nicholas Arnold*, Sir *Henry Asbelie*, Sir *John Pollard*, Sir *John Perrott*, Sir *Gabriel Carew*, Sir *Thomas Gerrard*, Sir *William Chester*, Sir *John White*, Sir *John Sellinger*, Sir *John Constable*, Sir *Hastings*, Sir *John Moor*, Sir *John Southwrote*, Sir *John Thinn*, Sir

Sir G. Turpin, Sir Henry Gates, Sir Robert Wingfeild, Sir Henry Cheyney, and Sir Arthur Chambernorn Knights, Mr. Seckford, Mr. Bell, Mr. Mounson, Mr. Dalton, Mr. Colbie, Mr. Kingmill, Mr. Mollineux, Mr. Mersb, Mr. Prat, Mr. Norton, Mr. Robert Newdigate, Mr. Strickland, Mr. Wray, Mr. Sands, Mr. Recorder, Mr. William Fleetwood, Mr. Mountgomery, Mr. Thomas Fleetwood, Mr. Heneage, Mr. Bartue, Mr. Alford, Mr. Henry Knolles Sen., Mr. Hasset, Mr. Hawtry, Mr. John Haistings, Mr. Ashbie of the Jewel-House, Mr. Colly, Mr. William Moor, Mr. Hilliar, Mr. Knight Marshall, Mr. Robert Manners, Mr. Barkham, Mr. Francis Newdigate, Mr. Warncomb, Mr. Francis Brown, Mr. Dunch, Mr. Withers, Mr. Robert Bowes, Mr. Awwberry, Mr. Haddon, Mr. Edward Leighton, Mr. Young, Mr. Charles Howard, and Mr. Wilson Esquires.

The Names of these Committees being thus transcribed out of the Original Journal-Book of the Upper House, now follows the Issue of their said meeting and Conference with the Lords, out of the Original Journal-Book of the House of Commons; which was, that after they had returned thanks unto their Lordships for their readiness to join with them in their Suit unto her Majesty touching those two great businesses of her Marriage, and the Declaration of a Successor; their said Lordships Answer was, that on *Saturday* next in the Afternoon they would confer with them the said Committees of the House of Commons, in the Utter (or Outward) Parliament Chamber.

The House Adjourned it self until *Monday* next ensuing, being the 4th day of *November*, and the Committees before-named were appointed to meet in the mean time, on *Saturday* Morning, to agree upon such reasons, as they might offer to the Lords in the Afternoon of that day, to be presented unto her Majesty, to persuade and induce her to Marriage, or at least to the Declaration of a Successor.

But what the Issue of the Conference was, between the Committees of the Lords and Commons, doth no where appear in the Original Journal-Books of the Upper and Commons House; but it may be very probably conjectured, that upon their meeting it was agreed, that the Commons should not at all at this time prefer any Petition unto her Majesty, touching the said great businesses, because they had already perform'd it in the first Session of this Parliament, in *An. 5 Regn. Eliz.* on *Thursday* the 28th day of *January* in *anno prædicto*, and that thereupon now the Lords only should sue unto her Majesty, in the foresaid great matters, if the said Upper House should allow thereof. Which resolution (as it should seem) was accordingly approved, and put in Execution, as is very probable, upon *Tuesday* the 5th day of *November* following. *Ut vide ibidem.*

On *Monday* the 4th day of *November* (to which day the House of Commons had Adjourned it self on *Thursday* the 31th day of *October* fore-

going) Three Bills had each of them one reading; of which the first being the new Bill for the Alneagers Fees of *Lancashire*, and for the length, breadth and weight of Cottons, Frizes and Rugs, was read the first time.

On *Tuesday* the 5th day of *November*, Five Bills of no great moment, had each of them one reading; of which the second being the Bill for the having of one Sheriff of one County in divers Counties, was read the second time, and thereupon Ordered to be ingrossed.

The Lords sent down Mr Serjeant *Carns*, and Mr Attorney, to signifie unto the House, that the Committees (touching those two great matters of her Majesties Marriage, and Declaration of a Successor, whose names see on *Thursday* the 31th day of *October* foregoing) should come up unto their Lordships; who immediately thereupon did so. And shortly after, returning from the Lords, they made Declaration, that their Lordships required, that thirty of this House should be before the Queen in the Afternoon, at the Palace (with thirty of the Lords) which were thereupon appointed, and chosen accordingly by Mr Speaker, out of the foresaid Committees (nominated on the 31th day of *October* foregoing) to attend her Majesty, and to understand what her pleasure was.

Post Meridiem.

The Committees of the Lords and House of Commons attended her Majesty this Afternoon touching those two great businesses of her Marriage, and Declaration of a Successor; which I have supplied as a thing necessary for the understanding, both of the former and future agitation (of which see more largely on *Monday* the 25th day of this instant *November* following) and what her Majesties Answer was, shall be needless to insert here, in respect that it was openly published by Mr Comptroller, and Mr Secretary *Cecill*, on this ensuing Morning.

On *Wednesday* the 6th day of *November*, Two Bills had each of them one reading; of which the second being the Bill for the Cloth-Workers of *London* to have search, was read the second time, and (as it should seem) committed to Mr Chancellor, and others.

The Bill touching Informers for better Execution of penal Laws, was read the third time, and passed upon the Question.

Mr Dr *Vaghan*, and Mr *Tale*, brought from the Lords, the Bill for *Hexamsire*, and a Proviso in the Bill for Bishops.

Sir *Edward Rogers* Knight, Comptroller of her Highness Household, and Sir *William Cecill* Knight, her Majesties Principal Secretary, read in writing notes of the Queens Majesties saying, before the Lords and Committees of this House; tending that her Grace had signified to both Houses, by words of a Prince, that she by Gods Grace would Marry, and would have it therefore believed; and touching limitation for Succession, the perils be

be so great to her Person, and whereof she hath felt part in her Sisters time, that time will not yet suffer to treat of it. Whereupon all the House was silent. *Vide plus* concerning this matter on *Monday* the 25th day of this instant *November* following.

The Proviso added to the Bill for Archbishops and Bishops, was read the first time.

On *Thursday* the 7th day of *November*, Three Bills had each of them one reading; of which the last being the Bill for Confirmation of the Hospital of *S^t Bartholomews* in *Gloucester*, was read the third time, and passed upon the Question.

On *Friday* the 8th day of *November*, Two Bills had each of them one reading; of which the first being the Bill for wearing of Caps on Holy-days, and not Hats, was read the first time.

Mr Lambert began a Learned Oration, for iteration of the Suit to the Queens Majesty for limitation of Succession; and thereupon strongly reasoned for both parts: whence it appeareth plainly, that though her Majesty satisfied the Lords by her former Answer on *Tuesday* the 5th of this instant *November* preceding (the effect of which was, that she was desirous to incline her mind to Marriage; but could not declare a Successor, in respect of the great danger thereof) yet those of the House of Commons rested not contented therewith, but only resting upon her Majesties promise touching her Marriage, they still discoursed of, and resolved to press further, that other part of their former Suit touching the Declaration of a Successor; as appeareth by this foregoing Motion of *Mr Lambert*, and by the sequel afterwards; touching all which, see more fully on *Monday* the 25th day of this instant *November* ensuing.

On *Saturday* the 9th day of *November*, Two Bills of no great moment, had each of them one reading; of which the first being the new Bill for carrying of Rams, or Sheep, over Sea, to be Felony, was read the first time; And the second being the Bill to avoid delays upon Verdicts and Demurrers in Law, was read the third time, and passed upon the Question.

Sir Francis Knolles Knight, her Majesties Vice-Chamberlain, declared the Queens Majesties Express Commands to this House, that they should no further proceed in their Suit, but to satisfy themselves with her Highness Promise of Marriage. After whom *Mr Secretary Cecill*, and *Mr Comptroller*, severally rehearsed the like matter. So that by this it may be gathered, that her Majesty understanding of *Mr Lambert's* Motion made Yesterday, and fearing that the House should fall a fresh upon the discussion of this business, did now send her Express Inhibition to prevent it, by these forenamed honourable Personages; of which matter see more at large on *Monday* the 25th day of this instant *November* following.

The Bill for two Sheriffs to be several of *Oxon* and *Berks*, was read the first time.

It is Ordered, That if after the reading of the first Bill, any of the House depart before the rising of *Mr Speaker*, without Licence of *Mr Speaker*, that then he shall pay to the poor Mans Box four pence.

Sunday November the 10th day.

On *Monday* the 11th day of *November*, Two Bills had each of them one reading; of which the first being the Bill for Confirmation of Letters Patents, made to the Cordwayners of *London*, was read the first time.

Paul Wentworth a Burgess of the House, by way of Motion, desired to know whether the Queens Command and Inhibition, that they should no longer dispute of the matter of Succession (sent Yesterday to the House) were not against the Liberties and Privileges of the said House? And thereupon arose divers Arguments, which continued from nine of the Clock in the Morning till two of the Clock in the Afternoon. But then, because the time was far spent, all further debate and reasoning was deferred until the next Morning. And, as it should seem, no certain resolution of the House given therein; neither doth it appear in the Original Journal-Book of the House of Commons, either what the effect of these Arguments were, or by whom uttered, which with many other defects and imperfections, happened therein, through the great negligence of *Mr Seymour*, at this time Clerk of the same House.

On *Tuesday* the 12th day of *November*, *Mr Speaker* being sent for to attend upon the Queens Majesty, at the Court, about nine of the Clock, sent word to the House, where he was, requiring the House to have Patience; and at his coming, after ten of the Clock, began to shew, that he had received a special Command from her Highness to this House, notwithstanding her first Commandment, that there should not be further talk of that matter in the House (touching the Declaration of a Successor, in Case that her Majesty should die without Issue) and if any person thought himself not satisfied, but had further reasons, let him come before the Privy-Council, and there shew them. *Vide plus* concerning this business, on *Monday* the 25th day of this instant *November* following.

On *Wednesday* the 13th day of *November*, Six Bills of no great moment, had each of them one reading; of which the fourth being the Bill for *Thomas Browns* Lands to be altered from Gavel-kind, was read the second time, and Ordered to be ingrossed.

Three Bills were sent up to the Lords, from the House of Commons; of which one was the Bill for the better Execution of penal Laws; And another to avoid delays upon Verdicts and Demurrers in Law.

The Bill touching two Branches in the Statute made for Chantry-Lands, was read the second time, and committed to *Mr Marsh*.

Mr Serjeant Carns, and *Mr Dr Huick*, brought from the Lords two Bills; one for the Jointure

ture of the Lady Cobham, and the other for Carriage of Wooll growing in divers Shires in Wales.

On Thursday the 14th day of November, Three Bills had each of them one reading; of which the third being the Bill to avoid long delays in Civil and Marine Causes, was read the second time, and Ordered to be ingrossed.

The Bill for several Sheriffs to be in Surrey and Suffex, Essex and Hertford, Oxon and Berks, Somerset and Dorset, Warwick and Leicester, Nottingham and Darby from 1567. was read the third time, and passed upon the Question.

On Friday the 15th day of November, the Bill for buying of Ostrich Wools, by Hat-makers and Felt-makers, was read the first time.

Edward Jones Complained of John Grey Esq;, Knight for Stafford, that he had misused and threatned him in Paul's, casting away his Cap, whereby he was in great fear of his Life, and prayed Remedy of this House. To the which Mr Grey Answered at the Bar, that he had divers times claimed a Debt due by his Father, to the which he had reasonably Answered. Whereupon the hearing of the matter, for the Surety of Jones, was committed unto Sir Thomas Wroth, and four others of this House. *Vide plus* touching this matter on Tuesday the 3^d day of December following.

The Bill to avoid excess in Apparel in divers Degrees, was read the third time, and passed upon the Question.

Leonard Darnet, Burgess for Marlborough in the County of Wilts, is for his great Affairs Licensed by the House to be absent.

On Saturday the 16th day of November, Three Bills had each of them one reading; of which the third and last, being the Bill touching Cutters of Tann'd Leather, was read the second time; but no mention is made, either of committing, or ingrossing of it.

The Bill for several Sheriffs to be in several Counties; And the Bill to avoid excess in Apparel in divers degrees, were sent up to the Lords by Mr Vice-Chamberlain.

Robert Ireland, Burgess for the Borough of Salop, Edward Leighton Esq;, one of the Knights for the County of Salop, were each of them Licensed by the House for their special Affairs to be absent, until and so this matter, without expressing the certain time, breaks off abruptly in the Original Journal-Book of the House of Commons, through the great negligence of Mr Seymour, Clerk of the said House; although it may very probably be conjectured, that this Licence was not granted unto them absolutely, but upon condition to return again and attend the service of the House, at some certain day prefixed. *Vide consimile* December 7th postea.

Upon divers Arguments made, that Edward Jones might be sent to the Tower for so using Grey, in attaching his Goods, tending to the breach of the Privilege of this House, the matter was estoons committed to Mr Wroth and

others, as well to provide Surety of Jones against the said Grey, until Saturday next, and then further to report, as also touching an Informer sent to Ward by Mr Grafton, and removed by Habeas Corpus into the Kings-Bench. *Vide* on Tuesday the 3^d day of December following.

November the 17th Sunday.

On Monday the 18th day of November, William Epse, Burgess for Rumney, was Licensed to be absent for eight days. *Vide consimile in die præcedente.*

Five Bills of no great moment, had each of them one reading; of which the third being the Bill for making of Allom, and Copperas, by the Lord Mountjoy; And the fourth being the Bill to repeal the Act made for prices, were each of them read the second time, and Ordered to be ingrossed.

On Tuesday the 19th day of November, Three Bills had each of them one reading; of which the last being the Bill for the Alneagers Fees of Lancaster, and the length, breadth and weight of Cottons, Frizes and Rugs, was read the second time, and Ordered to be ingrossed.

On Wednesday the 20th day of November, Two Bills had each of them one reading; of which the first being the Bill for places for the keeping of Records in the twelve Shires of Wales, was read the first time.

The Bill for Wollnersh in the County of Surrey, was brought from the Lords by Mr Attorney.

Two Bills lastly had each of them one reading; of which the first being the Bill for the Jointure of the Lady Frances Cobham in Cooling, was read the second time.

On Thursday the 21th day of November, Five Bills had each of them one reading; of which the first being the Bill to repeal a Branch in the Act for Watermen upon the Thames; And the second touching the Act made for sale of stuff for Apparel, not paid for, were each of them read the first time.

On Friday the 22th day of November, Six Bills of no great moment, had each of them one reading; of which the third being the Bill for the Felt-makers and Hat-makers, was upon the second reading rejected; and the fourth and sixth being for wearing of Caps, upon the Sabbath, or Holy-Days, and also that Tryals of Felonies done in Wales, shall be at the great Sessions there, were each of them read the second time, and (as it should seem) committed to Mr Crofts and others.

Richard Wheatley Clerk, Attendant upon Sir Henry Cromwell Knight, one of the Knights for the County of Huntingdon, being Attached by several Bills of Middlesex, in several Pleas of Trespas, at the Suit of William Marlyn, and Michaell Welch, required the Priviledge of the House.

On Saturday the 23th day of November, A Proviso added to the Bill for Bishops, in lieu of the Lords Proviso, was read the first time.

The Bill touching Latitats was brought from the Lords, by M^r Serjeant *Carus*, and M^r *Read*.

M^r *Thomas Wroth* declared *John Grey*, and *Edward Jones* by Mediation to be agreed, and that attachment to be void, upon condition, that M^r *Grey* should openly in the House promise, that he, nor any by him should hurt the said *Jones*, when he should come next to the House, being now sick of the small Pox, and the Recognizance taken not to be certified: *Vide* concerning this matter on *Tuesday* the 3^d day of *December* following.

On *Monday* the 25th day of *November*, Two Bills had each of them one reading; of which the first being the Bill for the Jointure of the Lady *Cobham*, was read the second time.

The Proviso to the Bill for Bishops in lieu of the Lords Proviso, was read the second time, and Ordered to be ingrossed.

M^r Speaker coming from the Queens Majesty, declared her Highness Pleasure to be, that for her good will to the House, she did revoke her two former Commandments, requiring the House no further to proceed at this time in the matter. Which Revocation was taken of all the House most joyfully, with most hearty Prayer and thanks for the same.

HER Majesty having found by Experience, that the desire of the House of Commons in that great business touching the Declaration of a Successor, in Case she should die without Issue, was like other Passions, more easily calmed and quieted by following than resisting, did now at length remit unto them (as appeareth by this Message brought by the Speaker) that freedom of Speech, and liberty of discussion, which they had formerly made use of, without any such allowance, and by that means did sooner satisfy their discontent, and procure their silence, than by any former secret diversions, or open inhibitions. And though that business only touching the Declaration of a Successor, be mentioned here, yet both in the first Session of this Parliament, in *an. 5 Regin. Eliz.* and in the greatest part of this present Session, *de an. 8, & 9 Regina ejusdem*, it was joined with the other great matter of her Majesties Marriage. For the House of Commons, having in the said fifth Year of her Majestie, Petitioned her in their own name only, on *Thursday* the 28th day of *January* in the Afternoon, both to incline her Royal Person to Marriage, and to make Declaration of her next and rightful Successor, in default of her own Issue, they received from her a Gracious Answer; but finding now in this second Session of that Parliament begun and continued above three Years after, that there followed no Issue, or effect thereupon, in respect that her Majesty remained still as far from any likelihood of Marriage, as then; and that the State of the Kingdom, in Case she should die, grew every day more dangerous than other, in respect of the several pretended Rights to the

Crown, which now began openly to be disputed and maintained, according to the several inclinations and opinions of men; Therefore (I say) on *Friday* the 18th day of *October*, in this present Session, *de An. 8, & 9 Regin. Eliz.* M^r *Mollineux* first moved it in the House, that they might again revive their former Suit to her Majesty, to declare a Successor, but mentioned not her Marriage; whereupon Sir *Ralph Sadler* Knight Banneret, one of her Majesties Privy-Council, stayed the House from further proceeding at that time, by making Declaration of her Majesties own Speeches, tending to the expression of her good Inclination unto Marriage; and that therefore the House should expect the timely Issue of that a while, and not intermeddle with the matter of Succession. Which report and advice of Sir *Ralph Sadlers*, being seconded again the next day being *Saturday* the 19th day of the same Month, by others of her Majesties Council, was then opposed by divers of the House. And it was at last concluded, that they should renew their said Suit to her Majesty, touching the Declaration of a Successor; according to which resolution, they not only debated it themselves, on *Monday* the 21th day, and on *Tuesday* the 22th day of *October* foregoing, but also afterwards with the Lords on *Wednesday* the 23th day, on *Thursday* the 24th day, and on *Wednesday* the 30th day, and on *Thursday* the 31th day of the same Month; joining also unto it that other great business of her Majesties Marriage (which I conceive was only colourably added, that the other Motion touching Succession, might be the less distastful to her Majesty) who having appointed thirty of either House to attend her on *Tuesday* the 5th day of this instant *November* foregoing, in the Afternoon, did there Answer the Lords Petition (who doubtless preferred it by themselves in this Session, *de An. 8, & 9 Regin. Eliz.* as the Commons had Petitioned her in the same matters by themselves, in the first Session of this Parliament in *an. 5 Regina ejusdem*) but the Commons resting not satisfied with the said Answer (wherein her Majesty did only in general intimate her inclination to Marriage, but absolutely denied to make any Declaration of her Successor, which they chiefly aimed at, in respect of the danger) did notwithstanding several inhibitions and restrictions, further prosecute the same matter, plainly and singly, without the least mention any more of her Marriage, on *Wednesday* the 6th day, *Friday* the 8th day, *Saturday* the 9th day, *Monday* the 11th day, and on *Tuesday* the 12th day of this instant *November* foregoing, until this present *Monday* the 25th day of the same Month, when upon her Majesties Gracious Permission of freedom of Speech, they ceased further to treat thereof, as appeareth by the following silence of the Original Journal-Book of the House of Commons therein, until the last day of this Session, being *Thursday* the second day of *January* following, when her said Majesty did mildly reprove the violent

violent prosecution of the same, by the said House.

On *Tuesday* the 26th day of *November*, Three Bills had each of them one reading; of which the third being the Bill for the Corporation of Merchants, for discovery of new Trades in *Russia*, was read the third time, and Ordered to be ingrossed.

Mr Serjeant *Carus* and Mr *Vaughan*, brought from the Lords two Bills, one for the Expedition of Justice in *Lancaster*, and another for the Jointure of the Lady *Stafford*.

It was Ordered this day, that the House should be called upon *Tuesday* next.

On *Wednesday* the 27th day of *November*, Three Bills had each of them one reading; of which the second being the Bill for the Almshouse at *Plymouth* in the County of *Devon*, And the third to avoid vexations upon the Writ of *Latitat*, &c. were each of them read the first time.

Mr Secretary declared from her Majesty, that for the good will she beareth to her Subjects, her Highness doth remit the third payment of the said Subsidy, before rated; for which her great Clemency, most hearty thanks was given by the House; and immediately was read

The Bill for the grant of one Fifteenth, and a Subsidy at two payments the second time, and committed (as it should seem) to Mr *Seckford* and others.

Nota, That here her Majesty (as is very probable) did remit this third and extraordinary payment of the Subsidy, the more yet to withdraw them from the further prosecution of that great business touching the Declaration of a Successor, (mentioned at large on *Monday* the 25th day of this instant *November* foregoing) in which those of the House of Commons had proceeded with great violence: and that her Majesty had this intent in remitting the said third payment, is the more apparent, because it had been formerly given by the said Commons, thereby the rather to induce her Majesty to the said Declaration of a Successor, as is plainly set down by Mr *Cambden*, in *Annal. Regin. Eliz. Edit. Lugdun. Batav. A. D. 1625. page 102.*

On *Thursday* the 28th day of *November*, Four Bills of no great moment, had each of them one reading; of which the last being the Bill for preservation of Corn by destruction of Crows, and other Vermin, was read the first time.

Five other Bills were each of them read the first time, and passed upon the Question; of which one was the Bill for the Jointure of the Lady *Cobham*, and another to avoid long Suits in Civil and Marine Causes.

The Bill lastly for Confirmation of Letters Patents, was read the second time, and (as it seemeth) was committed to Mr *Gargrave*, and others, whose name I conceive should have been written, Sir *Thomas Gargrave*; for it is usual in this Journal of the House of Commons, in this present Session de *An. 8, & 9 Regin. Eliz.* accord-

ing to the use of former times, to stile Knights by the term of Mr prefixed only to their Surnames.

On *Friday* the 29th day of *November*, Four Bills of no great moment, had each of them one reading; of which the second being the Bill for *John Stafford* born beyond the Sea, to be a free Denizen; and the third for the Watermen upon the *Thames*, were each of them read the second time: but no mention made either of referring them to Committees, or Ordering to be ingrossed.

Divers Arguments were had in the House, touching a Preamble to be made and set down, before the Bill of Subsidy, whereupon the said Bill was Ordered to be ingrossed.

On *Saturday* the 30th day of *November*, Five Bills of no great moment, had each of them one reading; of which the second being the Bill for the Frizers and Cottoners of *Shrewsbury*; the third touching a Lease made by the Masters of the Colledges in 37 *Hen. 8.* and the fourth to have several Sheriffs in *Oxon* and *Berks*, were each of them read the second time, and Ordered to be ingrossed.

The Bill to repeal the Statute made *An. 7 Edm. 6.* for prices of Wines, was read the third time, and upon the Question and Division of the House, passed; viz. with the Bill ninety five, and against it sixty five.

The Bill lastly requiring the Impost to be taken away, was read the first time.

On *Monday* the 2^d day of *December*, Two Bills had each of them their second reading; of which the first being the Bill for Confirmation of Letters Patents of Merchant Adventurers at *Bristol*, was Ordered to be ingrossed: And the second for the pulling up of Weares and Piles, was (as it should seem) committed to Mr Vice-Chamberlain, and others.

Six Bills were sent up to the Lords by Mr Vice-Chamberlain and others; of which one was the Bill for the Free-School of *Southwark*, and another for the Jointure of the Lady *Cobham*.

The Bill touching Fines and Recoveries was read the second time, and (as it should seem) was committed to the Master of the Rolls, and others.

The Bill for making of Allom and Copperas, by Letters Patents by *Cornelius de Vos*, and by him assigned to the Lord *Mountjoy*, was read the third time, and a Proviso thereunto annexed, was read the first, second and third time.

On *Tuesday* the 3^d day of *December*, Three Bills of no great moment, had each of them one reading; of which the third being the Bill for the Office of Town-Clerk of the City of *York*, was read the second time, and Ordered to be ingrossed.

Three Bills also had each of them their second reading; of which the first being the Bill touching the Statute made for Apparel, was (as it should seem) committed to Mr Vice-Chamber-

ain, and others; And the second for buying of Woolls in the North parts, was committed unto Mr *Gargrave*; the like reference see on *Thursday* the 28th day of *November* foregoing. And the third being the Bill for carrying over Sea of Rams, Sheep or Lambs, to be Felony, was (as it seemeth) committed to Mr *Wilson*, and others.

John Grey Esq; did this day promise before the whole House, that he and his should keep the Peace against *Edward Jones*, and the said *Jones* promised immediately to withdraw his Action. *Vide* concerning this matter on *Friday* the 15th day, *Saturday* the 16th day, and on *Saturday* the 23th day of *November* foregoing.

Two Bills also had each of them one reading; of which the first being the Bill for making of Steel and Plates for Armour, within the Realm, was read the second time, and Ordered to be ingrossed.

It was finally this day Ordered, that the House should be called on *Monday* next.

On *Wednesday* the 4th of *December*, Two Bills of no great moment, had each of them one reading; of which the first being the Bill for punishment of Vagabonds and Loyerers, was read the first time.

Three Bills also had each of them their third reading, and passed upon the Question; of which the second was the Bill for Merchant Adventurers of *Bristoll*; and the third for the Drapers, Cottoners and Frizers of *Shrewsbury*.

The Bill lastly to take away Sanctuary for Debt, was read the third time; and upon the Question and division of the House, dashed with the difference of seventeen Voices; viz. with the Bill sixty, and against it seventy seven.

On *Thursday* the 5th day of *December*, Two Bills of no great moment, had each of them one reading; of which the second being the Bill for the Town-Clerk of *York*, was read the third time, and Ordered to be ingrossed.

Four Bills were sent up to the Lords by Mr Vice-Chamberlain, of which one was the Bill for the Drapers, Cottoners and Frizers of *Shrewsbury*; and another for Merchant Adventurers of *Bristoll*.

The Bill with a little Book Printed in the Year 1562. (which was the fourth or fifth Year of her Majesties Reign) for the sound Christian Religion, was read the first time. *Vide May* the 17th *Thursday an. 13 Eliz.* in the House of Commons Journal.

On *Friday* the 6th day of *December*, Eight Bills of no great moment, had each of them one reading; of which the third being the Bill for the punishment of Offenders, in Swearing, Drunkenness, &c. was read the second time, and (as it should seem) committed to Mr Vice-Chamberlain, and others; And divers Bills touching Religion, of which see fully on *Thursday May* the 17th in *an. 13 Eliz.* in the Journal of the House of Commons.

On *Saturday* the 7th day of *December*, Three Bills of no great moment, had each of them one reading; of which the third being the Bill for the finishing of the Port of *Hartland* in *Devon* was read the second time, and Ordered to be ingrossed.

The Bill confirming the Corporation of the Kings Heralds at Arms, and the Bill for the Embroiderers of *London*, were each of them read the second time, and committed (as it should seem) to Mr Vice-Chamberlain, and others.

Walter Strickland Esq; Knight for the County of *Cumberland*, being diseased with the Gout, was Licensed to be absent.

On *Monday* the 9th day of *December*, Three Bills had each of them one reading; of which the second being the Bill to avoid fraudulent Gifts, and also Order for Bankrupts, was read the second time, and (as it should seem) committed unto Mr *Seckford*; and the third for Explanation of the Act of 37 *Hen. 8.* touching Colledges and Free-Chappels for Leases, with a Proviso for Judgments given, was read the third time, and passed upon the question.

On *Tuesday* the 10th day of *December*, Two Bills had each of them one reading; of which the Bill with a little Book Printed *an. 1562.* for the sound Christian Religion, was read the second time, and Ordered to be ingrossed. *Vide May* the 17th *Thursday in An. 13 Regim. Eliz. sequen.* in the Commons House Journal.

Mr Serjeant *Carus*, and Mr Attorney, brought from the Lords two Bills; one for the Statute of *Horses*, and another for *Allom* and *Copperas*.

The Preamble of the Bill of Subsidy, after long Arguments, was read the first and second time.

On *Wednesday* the 11th day of *December*, Four Bills of no great moment, had each of them one reading; of which the first being the Bill for pulling up of Piles, Weares and Fish-Gates; The second for Records to be kept in *Wales*, And the third touching Goal-Delivery in the Counties of *Wales*, and touching Sheriffs and Justices of the Peace, were each of them read the second time, and Ordered to be ingrossed.

The Proviso and Amendments of the Bill for Informers, was sent from the Lords, and read the first time, and (as it should seem) committed to Mr *Seckford* to consider of it.

On *Thursday* the 12th day of *December*, Nine Bills had each of them one reading; of which the seventh being the Bill that *John Stafford*, born beyond the Seas, may be a free Denizen; and another for the making of Steel in *England*, were each of them read the third time, and passed upon the Question, and were with two others sent up to the Lords, by Mr Vice-Chamberlain.

Mr Serjeant *Carus* brought from the Lords, the Subsidy for the Clergy; whereupon the Bill for one Fifteenth and Tenth, and also one Subsidy granted by the Temporality, was read the

the third time, and passed upon the Question.

On *Friday* the 13th day of *December*, Six Bills had each of them one reading; of which the fourth being the Bill for bringing in of Tonnage-Wares landed in other Countries, was read the second time, and Ordered to be ingrossed. And the Bill for the Articles of Religion, passed upon the third reading; *Vide May* the 17th *Thursday* in *Anno* 13 *Eliz. sequent.* in the Journals of the Commons.

On *Saturday* the 14th day of *December*, Five Bills had each of them one reading; of which the third, that several Sheriffs may be in *Buckingham* and *Bedford*; and the fourth for Confirmation of Letters Patents since the first Year of the Reign of *Queen Eliz.* were each of them read the second time, and Ordered to be ingrossed.

The Bill for the Articles of Religion, and the Bill for the Port in *Hartland*, was sent to the Lords by Mr Vice-Chamberlain, &c.

The Bill for making and wearing of Hats and Caps within the Realm, with the Proviso added thereunto, was read the second time, and Ordered to be ingrossed.

The House was appointed to be called on *Thursday* next, in the Afternoon.

On *Monday* the 16th day of *December*, Three Bills of no great moment, had each of them their third reading; and passed upon the Question: of which the first was the Bill for keeping of the Records in twelve Shires of *Wales*, with divers Ordinances there.

Mr Serjeant *Carus* brought from the Lords two Bills, one for graving of Seals, and the other for *Merioneth*.

The Bill touching the bringing in of Tonnage Wares landed by the way to be forfeit, with a Proviso, was read the third time.

On *Tuesday* the 17th day of *December*, Four Bills of no great moment, had each of them one reading; of which the fourth being the Bill for Adjournment of Assizes at *Lancaster* and *Durham*, was read the second time; but no mention is made whether it was Ordered to be ingrossed, or referr'd to Committees. *Vide consimile December* the 19th *Thursday*, *postea*.

The Bill for the Merchant Adventurers Corporation, for discovery of *Russia*, and new Trades, with three Provisoes, were each of them read the third time, and with the Bill passed upon the Question.

The Bill of Subsidy, with the three Bills last past, were sent up to the Lords by Mr Chancellor of the Dutchy.

Leonard Ireby Burgess for *Boston*, for his Affairs, is Licensed by Mr Speaker to be absent.

On *Wednesday* the 18th day of *December*, Three Bills of no great moment, had each of them their second reading; of which the first was the Bill for the Bowyers of *London*, the second for Tryals of Felony in the County of *Merioneth*, and the third for the graving of Alneagers Seals by the Graver of the Mint.

Three Bill also were each of them read the third time; of which the first being the Bill for Latitats for Execution out of the Kings-Bench, and the second for paving of *Kentish-street*, passed upon the Question.

The Bill for Dyers of Woolls, Cloths, or Caps; The Bill for maintaining of Sea-Marks, for the Trinity-House of *Deptford*, and for Watermen of the *Thames*; And the Bill for the Cloth-Workers of *London*, was read each of them the second time, and Ordered to be ingrossed.

The new Bill to alter the Statute for the making and breadth of Cloths, was read the first time.

The Bills which last passed in this House, were sent up to the Lords by Mr Vice-Chamberlain, and others.

Two Bills finally had each of them one reading; of which the first being the Proviso added to the Bill for making Steel in *England*, was read the third time, and with the Bill Ordered to be ingrossed.

On *Thursday* the 19th day of *December*, the Bill touching *Plumstead-Marsh*, for the Inning of it, was read the second time, and Ordered to be ingrossed.

Two Bills also had each of them their second reading; of which the first was the Bill that no person shall hold above two Tenements; and the second to repeal a Branch of a Statute for breed of Stone-Horses in divers Shires.

The Addition to the Lords Bill for Fines with Proclamations, was read the first and second time, and Ordered to be ingrossed.

The Additions sent from the Lords, in the Bill touching Informers, were read, and (as it should seem) referred to Mr *Lovelace*, to consider of them.

The new Bill for Apparel, was brought from the Lords by Serjeant *Carus*.

The Bill for Bankrupts and fraudulent Gifts, was dashed upon the question, and division of the House, by the difference of sixteen Voices; viz. with the Bill forty, and against the Bill fifty six.

Two Bills lastly had each of them their first reading; of which the first was the Bill for Reformation of excess in Apparel.

On *Friday* the 20th day of *December*, the Bill for the Subsidy of the Clergy of *Cant.* was read the second time.

Four Bills also had each of them one reading; of which the first for the Almes-House of *Plymouth*, The second for the making of Bay-Salt, and White-Salt in *England*; And the third for preservation of Grain, by killing of Crows and other Vermine, were each of them read the second time, and Ordered to be ingrossed.

The Bill for the Jointure of the Lady *Warwick*; and the Bill amended for *Shrewsbury*, were brought from the Lords by Mr Attorney.

Two Bills were sent up to the Lords by Mr Attorney; of which one was the Bill for making of Steel in *England*.

The Proviso in the Bill for Tonnage-Wares, was read the third time, and passed upon the Question.

The Bill for the Inning of *Plumstead-Marsh*, and the Bill for Confirmation of Letters Patents made since the first year of Queen *Elizabeth*, were each of them read the third time, and passed upon the Question; and were sent up to the Lords by Mr Chancellor of the Dutchy.

The Bill for pulling up of Weares, Fish Gates, and Piles, was read the third time, and upon the Question and Division of the House, dashed, with the difference of three Voices only; viz. with the Bill forty two, and against it forty five.

The Bill for preservation of Grain by destruction of Vermin, was read the third time, and passed upon the Question.

The Bill for the Jointure of the Lady *Anne* Countess of *Warwick*, was read the first and second time.

The Proviso from the Lords for the Sessions to be kept at *Hereford*, added to the Bill for Goal-Deliveries in *Wales*, was read the first, second and third time, and passed upon the Question.

Francis Thinn came into the House personally, and agreed to such things, concerning his Title to Tythes in *Plumstead-Marsh*, as Sir *John Thynn* should say for him.

On *Saturday* the 21th day of *December*, Six Bills were read the third time, and passed upon the question; of which the second was the Bill for Tryal of Felonies in *Merionethshire* in *Wales*; And another touching Fines with Proclamations, though the Original be imbezelled, to which this House had made an Addition; and a Proviso for the Heir of the Earl of *Kent*; and were sent up to the Lords by Mr Chancellor of the Dutchy.

The Bill also for repairing of Sea-Marks, Mariners and Watermen, was read the third time, and passed upon the question.

The Bill for the Subsidy of the Clergy of *Canterbury*, was read the third time, and passed upon the question.

The Bill for engraving of Alneagers Seals, by the Graver of the Mint in the *Tower of London*, was read the third time; and two other Bills had each of them their second and third reading; of which the first was the Bill for the avoiding of excess in Apparel; but no mention is made that they passed the House.

The Bill that *Hexamshire* shall be of the County of *Northumberland*, and parcel of the Bishoprick of *Durham*, was read the third time, and passed upon the Question.

Three Bills also had each of them one reading; of which the first being the Bill for buying of Woolls out of *Caermarthen*, *Cardigan* and *Pembroke*; and the third for keeping the Assizes in *Lancaster*, were each of them read the second time, and dashed upon the question.

The Bill against carrying over Sea of Rams, Lambs, or Sheep alive; The Bill against carrying over of Pelts or Tann'd-Leather, And the Bill for the Market of *Battell* to be kept at *Battell*,

were each of them read the second time, and Ordered to be ingrossed.

The General Bill to avoid Fairs and Markets on *Sunday*, to the next work-day following, was read the first and second time.

The House being moved with a Commission for Execution of penal Laws, Dated the third day of *December* last, appointed divers Committees (whose names through the Clerks great negligence are wholly omitted in the Original Journal-Book of the House of Commons) to move the Lords to be a means for the revoking of the said Commission; to which their Lordships agreed, conceiving with the Commons, that *Edmond Matthem*, *John Elliot*, and *Robert Reynold*, the Commissioners nominated and authorized in the said Commission, were not fit persons for the Execution of the same.

On *Monday* the 23th day of *December*, Four Bills of no great moment, had each of them one reading; of which the third being the Bill against carrying over Sea of Rams, Lambs and Sheep alive, was read the third time, and passed upon the question.

The Bill for the Clothing Town of *Wonersh* in *Surrey*, was read the third time, but as yet passed not the House.

The Bill for helping of Havens and Ports of the Sea, was read the second time.

Seven Bills with three others, were sent up to the Lords by Mr Vice-Chamberlain; of which one was the Bill for the making of White and Bay Salt, and another for the Subsidy of the Clergy of *Canterbury*.

Report being made upon the Bill for Apparel, it was upon the question dashed.

The Bill for continuance of divers Acts of Parliament, with Addition for transporting of Grain, was read the second time.

A Report was made upon the Bill for Cloth-making in the Town of *Wonersh* in the County of *Surrey*; and a Proviso being read the first, second and third time, thereunto added by the House, the Bill was upon the question dashed.

The Bill for the Queens Majesties Pardon, and the Bill for Tonnage-Wares, with some words added unto them, were brought from the Lords by Mr Attorney; which said Bill touching Tonnage-Wares to put out Wines, &c. was read the first time, and dashed upon the Question.

On *Tuesday* the 24th day of *December*, the Bill for the Queens Majesties general and beneficial Pardon, unto the 26th day of *December*, in the eighth year of her Highness Reign, was read the first time, and accepted by the Commons.

The Bill for continuance of divers penal Statutes, was read the third time, and passed upon the question, and was sent up to the Lords by Mr Chancellor of the Dutchy.

The Bill for the Alneagers Seals to be graved in the *Tower*, was read the fourth time (or rather (as it should seem) some Additions or Amendments thereunto annexed) and dashed upon the question.

The Bill touching Sheriffs, Under-Sheriffs and Bailiffs of Liberties to take Oaths, was read the third time, and upon the Question dashed.

The Bill for continuance of Statutes, was brought from the Lords, to take away all the Privileges and Articles besides, only the continuance of the Acts, was upon the question and division of the House, dashed; viz. with the Bill sixty one, and against it ninety seven.

Mr Attorney, and Mr Dr Lewis, brought word from the Lords, that their Lordships had Adjourned their House until *Monday* next. Whereupon Mr Speaker, with the advice of this House, Adjourned the Parliament until *Saturday* next, and then it was Ordered, that the House should then be called to see and consider the defaults.

On *Saturday* the 28th of *December*, the House was called, and Adjourned until *Monday* then next following.

On *Monday* the 30th day of *December*, the House was called again, and Adjourned further till *Thursday* next following, because the Lords above had so Adjourned their said House.

On *Thursday* the second day of *January*, the Defaulters were called, and twelve allowed by the House to make default.

Dr Huicke sent in word from the Lord Keeper, that the Lords had Adjourned their House, until one of the Clock in the Afternoon.

The Almes given this day by the House for relief of the Poor, amounted to the sum of nineteen pound ten shillings, to be paid by Mr Henry Knolles Sen., and Mr Grimston, two Members of the said House.

Post Meridiem.

In the Afternoon about three of the Clock, the Queens Majesty sitting in the Upper House of Parliament, the Knights, Citizens and Burgessees of the House of Commons, with Richard Onslow

their Speaker (having had notice thereof) repaired thither; where the said Speaker made an Excellent Oration, of above one hours length, tending to the expression of the great goodness of Almighty God, shewed unto this Realm, by the quiet Government of the Queens Majesty; and shewed also the strength of Laws. And after thanks to the Queens Majesty for her Gracious Pardon, offered the Subsidy, and the Pardon. And when the Lord Keeper had made a short Answer to the special points of the Oration of the Speaker, and that the Queens Majesty had given her Royal Assent to thirty four Acts, viz. nineteen publick Acts, and fifteen private; immediately it pleased her said Majesty to declare in a most Excellent Phrase of Speech and Sentence, that she seemed not pleased with the doings of the House of Commons, for busying themselves in this Session, with matters which did not appertain at this time unto them (intimating doubts thereby their too violent, and eager prosecution of those two great businesses touching her Marriage, and Declaration of a Successor, in default of Issue of her own Body) but in the end of her said Speech, she concluded with comfortable words, and commanded the Parliament to be dissolved.

Nota, That this business had many and long Agitations in the House of Commons, who were especially violent in that latter branch of it, touching the Declaration of a Successor, as see more at large on *Monday* the 25th day of *November* foregoing; and lastly, I have thought good to give a short touch, that all the foregoing passages of this Afternoon, touching her Majesties Presence, Royal Assent, Speech and Dissolving the Parliament, were thus Orderly set down in the Original Journal-Book of the House of Commons, and have here received little Alterations.

THE
JOURNAL
OF THE
House of LORDS.

The Journal of the Proceedings of the House of Lords, in the Parliament bolden at Westminster, An. 13 Reg. Eliz. A. D. 1571, which began there on Monday the 2^d day of April, and then and there continued until the Dissolution thereof on Tuesday the 29th day of May ensuing.

THIS Journal of the Upper House continuing about the space of two Months, was very carelessly entred in the Original Journal-Book of the Upper House, by the Clerk thereof, who (as it seems) was *Anthony Mason Esq;*, succeeding about this time in the said Office of Clerk of the Upper House, unto *Francis Spilman Esq;*, who had formerly supplied that place. But yet by means of a Copious Journal I had by me, of the Passages of the House of Commons in this Parliament, taken by some Anonymous Member thereof, and also of some Copies I had of the Speeches of *Sir Nicholas Bacon*, Lord Keeper, at the beginning and conclusion of this said Parliament, this ensuing Journal is much enlarged. And therefore to avoid confusion, whatsoever is here inserted out of the said private Journal, is particularly distinguished from that which is taken out of the above-mentioned Journal-Book of the Upper House, by some Animadversions or Expression thereof, both before and after the inserting of it. Neither doth the Original Journal-Book it self of the Upper House, want some matter of variety, besides the ordinary Reading, Committing and passing of Bills, in respect that *Sir Robert Catlyn* Knight, Lord Chief Justice of the Kings Bench, was appointed by her Majesties Commission, under the Great Seal, to supply the Lord Keepers place (upon occasion of his sickness during some part of this said Parliament) in the first entry whereof is set down out of the foresaid Anonymous Journal of the House of Commons, her Majesties coming to the Upper House, with the Order and manner of it, the substance also of

which is found, though somewhat more briefly set down, in the Original Journal-Book of the same House.

On *Monday* the second day of *April*, the Parliament beginning (according to the Writs of Summons sent forth) her Majesty about eleven of the Clock came towards *Westminster*, in the antient accustomed most honourable Passage, having first riding before her the Gentlemen Sworn to attend her Person, the Batchellors Knights, after them the Knights of the *Bath*, then the Barons of the Exchequer, and Judges of either Bench, with the Master of the Rolls, her Majesties Attorney General, and Solicitor General; whom followed in Order, the Bishops, and after them the Earls, then the Archbishop of *Canterbury*.

The Hat of Maintenance was Carried by the Marquess of *Northampton*, and the Sword by the Earl of *Suffex*. The place of the Lord Steward for that day, was supplied by the Lord *Clinton*, Lord Admiral of *England*; the Lord Great Chamberlain was the Earl of *Oxenford*. And the Earl Marshal, by Deputation from the Duke of *Norfolk*, was the Earl of *Worcester*.

Her Majesty sat in her Coach in her Imperial Robes, and a Wreath or Coronet of Gold, set with rich Pearl and Stones, over her Head; her Coach drawn by two Palfries, covered with Crimson Velvet, drawn out, imbossed and imbroidered very richly. Next after her Chariot followed the Earl of *Leicester*, in respect of his Office of the Master of the Horse, leading her Majesties spare Horse. And then forty seven Ladies and Women of Honour; The Guard in their rich Coats going on every side of them.

The

The Trumpeters before the first, founding; and the Heralds riding, and keeping their rooms and places Orderly. In *Westminster* Church, the Bishop of *Lincoln* Preached before her Majesty, whose Sermon-being done, her Majesty came from the Church, the Lords all on foot, in order as afore; and over her Head a rich Canopy was carried all the way. She being entred into the Upper House of Parliament, and there sate in Princely and seemly sort, under a high and rich Cloth of Estate; her Robe was supported by the Earl of *Oxford*, the Earl of *Suffex* kneeling, holding the Sword on the left hand, and the Earl of *Huntingdon* holding the Hat of Estate, and the Lords all in their Rooms on each side of the Chamber; that is to say, the Lords Spiritual on the right hand, and the Lords Temporal on the left.

Nota, That whereas the presence of these Lords ought here, according to the usual course, to have been inserted out of the Original Journal-Book of the Upper House, it must of necessity be omitted, in respect that through the great negligence of *Anthony Mason* Esq; at this time (as it should seem) Clerk of the said House, there are none of the said Lords noted to have been present; yet it may be probably guessed who they were, by those who attended on *Wednesday* of this instant *April* ensuing. *Quod vide*.

The Judges and her Learned Council, being at the Woollacks in the midst of the Chamber, and at her Highness Feet, at each side of her kneeling one of the Grooms, or Gentlemen of the Chamber, their Faces towards her, the Knights, Citizens and Burgeses all standing below the Bar, her Majesty then stood up in her Regal Seat, and with a Princely Grace, and singular good Countenance, after a long stay, spake a few words to this effect, or thus.

M*Y right Loving Lords, and you our right faithful, and Obedient Subjects, we in the name of God, for his Service, and for the safety of this State, are now here Assembled, to his Glory I hope, and pray that it may be to your Comfort, and the common quiet of our, yours, and all ours for ever. And then looking on the right side of her, towards Sir Nicholas Bacon Knight, Lord Keeper of the Great Seal of England, standing a little beside the Cloth of Estate, and somewhat back and lower from the same, she willed him to shew the cause of the Parliament, who thereupon spake, as followeth.*

T*H E Queens most Excellent Majesty, our most Dread and Gracious Sovereign, hath Commanded me to declare unto you, the Causes of your Calling and Assembly at this time, which I mean to do as briefly as I can, led thereunto as one very loth to be tedious to her Majesty, and also because to wise men, and well-disposed (as I judge you be) a few words do suffice. The Causes be chiefly two, The one to establish or dissolve Laws, as best shall serve for the Governance of the Realm. The other, so to consider*

of the Crown and State, as it may be best preferred in time of Peace, and best defended in the time of War, according to the Honour due unto it. And because in all Councils and Conferences first and chiefly there should be sought the Advancement of Gods Honor and Glory, as the sure and infallible Foundation, whereupon the Policy of every good Publick Weal is to be Erected and built; and as the streight line, whereby it is principally to be directed and governed, and as the chief Pillar and Buttress, wherewith it is continually to be sustained and maintained; Therefore, for the well-performing of the former touching Laws, you are to consider; first, whether the Ecclesiastical Laws concerning the Discipline of the Church, be sufficient or no? and if any want shall be found, to supply the same; and thereof the greatest care ought to depend upon my Lords the Bishops, to whom the Execution thereof especially pertains, and to whom the imperfections of the same be best known.

And as to the Temporal Laws, you are to Examine whether any of them already made, be too sharp or too sore, or over-burthenous to the Subject; or whether any of them be too loose or too soft, and so over-perillous to the State. For like as the former may put in danger many an Innocent, without cause, particularly; so the second may put in peril both the Nocent and Innocent, and the whole State universally. You are also to examine the want and superfluity of Laws: you are to look whether there be too many Laws for any thing, which breedeth so many doubts, that the Subject sometimes is to seek how to observe them, and the Councillor how to give advice concerning them.

Now the second, which concerns a sufficient provision for the Crown and State; herein you are to call to remembrance, how the Crown of this Realm hath been many ways charged extraordinarily of late; not possibly to be born by the ordinary Revenues of the same, and therefore of necessity to be relieved otherwise; as heretofore it hath commonly, and necessarily been. For like as the ordinary charge hath been always born by ordinary Revenues, so the extraordinary charge hath always been sustained by an extraordinary relief. This to those that be of understanding is known, not only to be proper to Kingdoms and Empires, but also is, hath been, and ever will be a necessary peculiar pertaining to all Common-Wealths, and private States of men, from the highest to the lowest; the rules of reason hath ordained it so to be.

But here I rest greatly perplexed, whether I ought to open and remember unto you, such reasons as may be easily produced, to move you thankfully and readily to grant this extraordinary relief or no: I know the Queens Majesty conceiveth so great hope of your prudent foreseeing what is to be done, and of your good wills and readiness to perform that, which by Prudence you foresee, that few or no persuasi-

ons at all are needful for the bringing this to pass. Nevertheless, because by the antient order heretofore used, it is my Office and Duty somewhat to say in this Case, and likewise all men also that be present, neither understand alike, nor remember alike; Therefore I mean, with your favour and patience, to trouble you with a few words, touching this point. True it is, that there be two things that ought vehemently to move us, frankly, bountifully, and readily to deal in this matter. The former is the great benefits, that we have received; the second is the necessity of the Cause. If we should forget the former, we are to be charged as most ungrate and unthankful; and the forgetfulness of the second doth charge us, as uncared of our own Livings and Liberties, and of our Lives; the former moveth by Reason, and the second urgeth by Necessity. And here, to begin with the former, albeit that the benefits that the Realm hath received by Gods Grace, and the Queens Majesties Goodness, both for the number and greatness, are such as may be more easily marvelled at, than worthily weighed and considered; Yet mean I to remember briefly three of them, whereof the first and chief is restoring and setting at Liberty Gods holy Word amongst us; the greatest and most precious Treasure that can be in this World: for that either doth, or should benefit us in the best degree; to wit, our Minds and Souls; and look how much our Souls excel our Bodies, so much must needs the benefits of our Souls excel the benefits of our Bodies; whereby also, as by a necessary consequent, we are delivered, and made free from the Bondage of the Roman Tyranny; therefore this is to be thought of us the most principal benefit.

The second is the inestimable benefit of Peace during the time of ten whole years together, and more; and what is Peace? is it not the richest and most wished for Ornament that pertains to any publick Weal? Is not Peace the mark and end that all good Governments direct their actions unto? Nay, is there any benefit, be it never so great, that a man may take the whole Commodity of, without the benefit of Peace? Is there any so little Commodity, but through Peace a man may have the full fruition of it? By this we generally and joyfully possess all; and without this generally and joyfully we possess nothing. A man that would sufficiently consider all the Commodities of Peace, ought to call to remembrance all the miseries of War; for in reason it seems as great a benefit in being delivered of the one, as in the possessing of the other. Yet if there were nothing, the common and lamentable Calamities and Miseries of our Neighbours round about us, for want of Peace, may give us to understand what blessedness we be in that possess it. There be that never acknowledge benefits to their value, whilst they possess them, but when they be taken from them, and so find their want; marry such be not worthy of them. Now is it possible, trow you, that this blessed

benefit of Peace could have been from time to time thus long conserved and conferred upon us, had not the mind, affection and love, that our Sovereign bears towards us her Subjects, bred such care over us in her Breast, as for the well bringing of this to pass, she hath forborn no care of Mind, no travel of Body, nor expence of her Treasure, nor sale of her Lands; no adventuring of her Credit, either at home or abroad? a plain and manifest Argument, how dear and precious the safety and quiet of us her Subjects be to her Majesty. And can there be a greater persuasion to move us to our power to tender the like?

The third is the great benefit of Clemency and Mercy. I pray you, hath it been seen or read, that any Prince of this Realm, during whole ten years Reign, and more, hath had his hands so clean from Blood? If no offence were, her Majesties Wisdom in Governing was the more to be wondred at; and if offences were, then her Majesties Clemency and Mercy the more to be commended. *Misericordia ejus super omnia opera ejus*. Besides, like as it hath pleased God ten years and more, by the Ministry of our said Sovereign, to bless this Realm with those two inestimable benefits of Peace and Clemency, so there is no cause but the same might by Gods Grace have continued twenty Years longer, without intermission, had not the Raging Romanist Rebels entertained the matter. And here it is to be noted, that this Merciful and Peaceful Reign of ten Years and more, hath hapned in the time of Christs Religion now established. I cannot think that any man can follow me in this, in the time of the Romish Religion since the Conquest. Nay a man might affirm, that this is an Example for times to come, without any like in times past; comparing *Singula singulis*, what should I say? these be the true Fruits of true Religion. I could further remember you of the Fruits of Justice, the benefit of restoring your Money to Fines; yea, I could put you in mind, but I think it needs not, it happened so late, of a Subsidy granted, whereof the Queens Majesty of her own bountifulness, remitted the one half; was the like here in *England* ever seen or heard of? But being out of doubt, that these benefits already remembred be sufficient of themselves to move you to be thankful to your Power, I leave any longer to detain you in this point.

And albeit a Subject cannot yield any benefit to his Sovereign in the same nature that he receiveth it; because every benefit is more than Duty, and more than Duty a Subject cannot yield to his Sovereign: Yet can it not be denied, but a Subjects acknowledging of benefits received, joined with good will to yield as far as Liberty will reach, doth sufficiently satisfy for the Subject, for *ultra posse non est esse*. To your best actions therefore address ye. And thus much concerning benefits.

Now to the second part, concerning urging by Necessity, true it is, that the extraordinary matters

matters of Charge, happened since the last Assembly here, urging to have by necessity a relief granted, amongst many others be these. First, The great Charge in suppressing the late Northern Rebellion, with Charges also in reforming those the Queens Majesties Enemies in *Scotland*, that assisted the Rebels, and made *Rodes* into *England*. The continual growing Expences, by reason of *Ireland*, as in subduing the Rebels within that Realm, and withstanding the *Scots* Northward, and other Foreign Forces, intending Invasion Southward. To these three Charges by Land, you may add a fourth by Sea; as the preparation and setting forth of Ships, partly for the defence against all Foreign Forces, suspected and intended, partly for the safe conducting of the Wares and Merchandizes in greater strength and longer cut than heretofore hath been used. These and such like extraordinary Charges, whereof there be sundry, with the remains of old Charges not possible to be born by the ordinary Revenue, and yet of necessity to be expended, do greatly exceed any extraordinary aid therefore commonly granted. Again, the great decay of the Queens Majesties Customs, by reason of stay and alteration of Traffick (albeit upon just occasion) hath bred no small want; for although in time it is not to be doubted, but that will grow again to his old course, and continue with great Surety; Yet in the mean time, this want must some way be supplied; for you know the Horse must be provided for, whilst the Grass is in growing. At the least let us do so much for our selves, as we do for our Horses. For our selves it is that are to be relieved in this Case. This I must needs say, that if the Queens Majesty did use in matters of Expence, to do as commonly Princes heretofore have used to do, then with the more difficulty might such extraordinary aid be assented unto, and yet of necessity to be had, to withstand a greater necessity. It hath been used in times past, that Princes pleasures and delights have been commonly followed in matters of Charge, as things of necessity. And now, because, God be praised, the relieving of the Realms necessity is become the Princes Pleasure and Delight, a noble Conversion (God continue it, and make us as we ought to be, earnestly thankful for it!) A Princely Example shewed by a Sovereign for Subjects to follow. To descend in some particulars: What need I to remember unto you, how the gorgeous, sumptuous, superfluous Buildings of time past be for the Realms good, by her Majesty in this time turned into necessary Buildings, and upholdings? The chargeable, glittering, glorious Triumphs, into delectable Pastimes and Shows? Embassadors of Charge into such as be void of excess, and yet honourable and comely? These and such like are dangerous dams, able to dry up the flowing Fountains of any Treasure; and yet these imperfections have been commonly Princes Peculiar, especially young. One free from these was accounted *Rara avis*, &c. and yet (God be

thanked) a *Phoenix*, a Blessed Bird of this kind God hath blessed us with. I think it may be affirmed, and that truly, that there hath not been any matter of great Charge taken in hand by her Majesty in this happy Reign of twelve Years and more, that hath not been thought before convenient to be done for the Weal and profit of the Realm; so far her Highness is from spending of Treasure in vain matters, and therefore the rather how can a man make any difficulty to contribute according to his Power? specially, in maintaining of his Sovereign, his Country, his Self, his Wife and Children, and what not? having so long a proof by experience, of such an employment? Here I would put you in mind of extraordinary Charges to come, which in reason seems evident, but so I should be over tedious unto you, and *frustra fit per plura quod fieri potest per pauciora*. And therefore here I make an end, doubting that I have tarried you longer than I promised or meant, or perchance needed, your wisdoms and good inclinations considered. But you know things are to be done both in form and matter. And my trust is, that if I had stayed, I may be warranted by either, or by both, that you will take it in good part. Thus far out of the Copy of this foregoing Speech.

As soon as the Lord Keepers Speech was ended, then the Clerk of the Upper House, read the names of Receivers and Tryers of Petitions in French (whose names are transcribed out of the Original Journal-Book of the Upper House) and were as followeth.

Sir Robert Catlin Knight, Chief Justice of the Kings Bench, Sir William Cordell Knight, Master of the Rolls, Sir John Widden Knight, one of the Justices of Sir Richard Read Knight, and Dr Huick, who were Receivers of Petitions for *England, Ireland, Wales and Scotland*.

Receivers of Petitions for *Gascoigne*, and the parts beyond the Seas, and the Isles:

Sir James Dyer Knight, Chief Justice of the Common-Pleas, Sir Edward Saunders Knight, Lord Chief Baron, Richard Weston one of the Justices of Welsh one of the Justices of Dr Lewis, Dr Yale, and Dr Vaughan.

Tryers of Petitions for *England, Ireland, Wales and Scotland*, The Archbishop of *Canterbury*, the Earl of *Arundel*, the Earl of *Suffex*, the Earl of *Huntington*, the Earl of *Bedford*, the Bishop of *London*, the Bishop of *Durham*, the Bishop of *Salisbury*, the Lord *Clinton*, the Lord Admiral of *England*, the Lord *Cobham*, the Lord *Wentworth*, and the Lord *North*.

Tryers of Petitions for *Gascoigne*, and for other parts beyond the Seas, and the Isles, The Archbishop of *York*, the Marquess of *Northampton*, the Earl of *Shrewsbury*, the Earl of *Leicester*, the Bishop of *Winchester*, the Bishop of *Worcester*, the Bishop of *Lincoln*, the Lord *Howard of Effingham*, Chamberlain of the Queen, the Lord

Windſor, the Lord Haſtings of Loughborough, and the Lord Carie of Hunſdon.

Hodiè retornatum breve quo Edwardus Comes Oxon. præſenti huic Parlamento ſummonitus fuit, qui admiſſus fuit ad ſuum in ſedendo præheminentie locum, ſalvo cuiq; jure ſuo.

The like Writs returned for Henry Earl of Pembroke, and William Lord Sands.

Hodiè retornatum fuit breve, quo Richardus Episcopus Carlielen. præſenti huic Parlamento ſummonebatur, qui admiſſus fuit ad ſuum in ſedendo præheminentie locum, ſalvo jure alieno.

On Wednesday the 4th day of April in the Afternoon, but at or about what hour appeareth not, although it may probably be gueſſed, that it was about three of the Clock, her Maſteſty with divers Lords Spiritual and Temporal, Aſſembled in the Upper Houſe, whoſe names are marked to have been preſent this day in the Original Journal-Book of the Upper Houſe, being as followeth.

Regina.

Archiepiſcopus Cantuarien.

Episcopus London.

Episcopus Dunelm.

Episcopus Winton.

Episcopus Hereforden.

Episcopus Wigorn.

Episcopus Lincolnien.

Episcopus Sarisburien.

Episcopus Meneven.

Episcopus Roſſen.

Episcopus Norwicen.

Episcopus Carliolen.

Episcopus Ceſtren.

Episcopus Aſſaven.

Episcopus Gloceſtren.

Episcopus Bangoren.

Episcopus Landaven.

Nicolaus Bacon Miles, Dominus Cuſtos Magni Sigilli.

Marchio Northampton.

Cômes Arundell.

Comes Oxon.

Comes Wigorn.

Comes Suffex.

Comes Southampton.

Comes Bedford.

Comes Pembroke.

Comes Leiceſter.

Vice-Comes Hereford.

Vice-Comes Mountague.

Which are all the Lords Spiritual and Temporal ſitting on the two Upper Forms, noted to be preſent this day.

Nota, That the Spiritual Lords are always thus placed in the Original Journal-Book of the Upper Houſe, on the dexter ſide, not in reſpect of their precedency, but (as it ſhould ſeem) becauſe the Archbiſhop of Canterbury the chief of them is the firſt Peer of England, and ſo the reſidue of the Clergy are placed next after him, in

reſpect of their Eccleſiaſtical Dignities. The next that follow are the Barons, who are placed in the ſaid Journal-Book in reſpect of their ſeveral places and precedencies, as followeth.

Barones.

Dominus Clinton Admirallus Angliæ.

Dominus Howard Camerarius.

Dominus Burgavenny.

Dominus Strainge.

Dominus Dacres de Souch.

Dominus Cobham.

Dominus Stafford.

Dominus Gray de Wilton.

Dominus Dudley.

Dominus Lumley.

Dominus Darcie.

Dominus Mountegle.

Dominus Vauxes.

Dominus Windeſor.

Dominus Wentworth.

Dominus Burgh.

Dominus Crumwell.

Dominus Evers.

Dominus Wharton.

Dominus Rich.

Dominus Willoughby.

Dominus Paget.

Dominus Darcie de Chick.

Dominus North.

Dominus Shandois.

Dominus Haſtings de Loughborough.

Dominus Hunſdon.

Dominus St John de Bletſoe.

Dominus Buckhurſt.

Dominus De la Ware.

Her Maſteſty and the Lords being thus ſet, the Knights, Citizens and Burgeſſes of the Houſe of Commons, had notice thereof, and thereupon repaired to the Upper Houſe, with Chriſtopher Wray Serjeant at Law, their lately Elected Speaker, whoſe preſentation to her Maſteſty, and allowance by her, being not mentioned in the Original Journal-Book of the ſaid Houſe, are therefore wholly tranſcribed out of that before-cited Anonymous Journal, more particularly mentioned at the beginning of this preſent Journal, the ſame alſo in effect being contained in the Original Journal-Book of the Houſe of Commons, fol. 10. a.

The ſaid Speaker being led up to the Rail or Bar, at the lower end of the Upper Houſe, by two of the moſt Honourable Perſonages of the Houſe of Commons, did there, after three Reverences made, humbly beſeech her Maſteſty, according to the uſual courſe, that albeit he could not obtain of the Commons (who had Elected him to be their Speaker) for ſuch cauſes, as he had alledged, to be diſburthened of that place, that ſo ſome other more fit and able might be choſen, that yet her Highneſſe would vouchſafe

to have consideration of the greatness of the Service, and therefore to require them estoons to return to the House, and to make a new Choice. To which his Petition, the Lord Keeper, by her Majesties Commandment, Answered and said.

That as well for that her Highness had understood of him, as for that the Commons had chosen him, his Request could not be granted.

Whereupon the said Speaker being allowed, he desired to be heard to say somewhat concerning the orderly Government of a Common-Weal, which to be duly done, he said, there were three things requisite, Religion, Authority, and Laws. By Religion, he said, we do not only know God aright, but also how to Obey the King or Queen, whom God shall assign to Reign over us; and that, not in Temporal Causes, but in Spiritual or Ecclesiastical; in which wholly her Majesties Power is absolute. And leaving all proofs of Divinity to the Bishops, and Fathers (as he said he would) he prov'd the same by the practice of Princes within this Realm; and first, made remembrance of *Lucius* the first Christian King, who having written to *Elutherius* the Pope, 1300. Years past for the Roman Laws, he was Answered, that he had the Holy Scriptures, out of the which he might draw to himself, and for his Subjects, Laws by his own good discretion; for that he was the Vicar of Christ over the People of *Brittain*. The Conqueror (he said) in the Erection of *Battell-Abby*, granted that the Church should be free from all Episcopal Jurisdiction.

Henry the Third gave to *Ranulph* Bishop of *London*, the Archbishoprick of *Canterbury*, by these words, *Rex, &c. Sciatis quod dedimus Dilect. nostro Ranulpho Archiepiscopo. Cantuarien. quem instituimus Anulo & Baculo*. The Ring, he said, was the sign of perfection; The Staff the sign of Pastoral Rule, which he could not do, if these Kings had not had and used the Ecclesiastical Powers. In the Reports of the Law, we find that an Excommunication of a certain person came from the Pope under his Leaden Bull; and was shewed in abatement of an Action brought at the Common Law; which, besides that it was of no force, the King and Judges were of Mind, that he who brought it, had deserved Death, so to presume on any Foreign Authority; which Authority being now by Gods Grace, and her Highness means, abolished, and the freedom of Consciences, and the truth of Gods word established; we therefore ought greatly to thank God and her.

For Authority, or the Sword, whereby the Common-Wealth is stayed, three things he said are requisite; Men, Armour and Money. For Men, their good wills he said were most, being of it self a strong Fortref. For Armor, the necessity he shewed in part, and how requisite Treasure was, he a little declared. And concluded,

that all three must be conjoined, Men, Armour and Mony.

Lastly for Laws, the third stay of the Common-Wealth; he said there must be consideration in making them, and care in Executing of them; in making such, as by the providing for one part of the Common-Wealth, the rest should not be hindred, which were indeed a matter most pernicious; and this he vouched out of *Plato de legibus*. For Execution, he said, that since the Law of it self is but Mute, set in Paper, not able to do ought, the Magistrate (except he will be also Mute) must be the Doer, and then is a good Law said to be well made, when it is well Executed; for *anima legis est executio*.

Hereupon he said something in commendation of her Majesty, who had given free course to her Laws, not sending or requiring the stay of Justice, by her Letters or Privy-Seals, as heretofore sometime hath been by her Progenitors used. Neither hath she pardoned any, without the advice of such, before whom the Offenders have been Arraigned, and the Cause heard.

His Oration being ended, he then made four Petitions; the first, that the Persons, Servants and Goods of all coming to that Assembly, might be free from all Arrests. Secondly, That for Cause of Conference, they might have access to her Majesty. Thirdly, If any sent should not truly report, or in part mistake the meaning of the House, that the same should be by her Highness favourably heard. And lastly, That in the House all men might have free Speech.

This Oration being ended, by direction from her Majesty, and instructions given what should be said, The Lord Keeper Answered thus; dividing his Speech into three parts, the first, where he had sometimes inserted commendations of her Majesty, he said, her Highness would not acknowledge so great perfections to be in her; but said, that they should be instructions for her better proceedings in time to come. The second part of his Oration, he said, concerning the Rule, for ordering of the Common-Wealth, she well liked of, and wished, that as he had well conceived of it, and well uttered the same, so he and others would endeavour the Execution thereof.

For his Petitions, he said, her Majesties Pleasure was, that the first should be granted, with this caution, that no man should under their shadows, untruly protect any others. For the second, he said, at time convenient, her Pleasure was, they should come freely. Touching the third part, he said, she could not imagine that among so many wise men it could happen; but if it should, her Grace would be content to remit it. The fourth was such, that her Majesty having Experience of late of some disorder, and certain Offences, which though they were not punished, yet were they Offences still, and so must be accompted; therefore said, they should do well to meddle with no matters of State,

State, but such as should be propounded unto them, and to occupy themselves in other matters, concerning the Common-Wealth.

The Presentment and Allowance of the Speaker being thus transcribed, out of that often before vouched Anonymous Journal of the House of Commons in this Parliament, Now follow the residue of this days passages, with those also of other days ensuing, out of the Original Journal-Book of the Upper House.

Hodiè returnatum est breve, &c. by which the Bishop of Exeter was Summoned to this Parliament, who was thereupon admitted to his accustomed place.

The like Writs were returned, whereby the Lord Paget, and the Lord De la Ware, were Summoned to the said Parliament, who were thereupon admitted.

There is no entrance of the Adjournment, or continuance of this Parliament, which happened doubtless through the great negligence of the Clerk of the Upper House; although it is most easy to conjecture, that the Lord Keeper did continue the same, by her Majesties Commandment, unto some hour of the Afternoon following, being Thursday the 5th day of this instant April.

This day finally (but whether before or after the rising of the Lords of the Upper House, doth not appear) were divers Proxies returned, and delivered in unto the Clerk of the said Upper House, or to some other belonging unto him; of which the unusual or extraordinary Proxies, were only three, and those also all from Spiritual Lords, which are entred in the Original Journal-Book of the said Upper House, in manner and form following.

4 die April. Introducæ sunt Litteræ Procuratorie Hugonis Episcopi Landaven. in quibus Procuratores suos constituit Nicolaum Wigorn. Richard. Meneven. & Nicolaum Bangor. Episcopos, conjunctim & divisim.

Eodem die Introducæ sunt Litteræ Procuratorie Thom. Episcopi Coventr. & Litchf. in quibus Procuratores suos constituit Nicol. Wigorn. Johannem Salisburien. & Richardum Meneven. Episcopos, conjunctim & divisim.

Eodem die Introducæ sunt Literæ Procuratorie Richardi Episcopi Gloucestr. in quibus Procuratores suos constituit Nicol. Wigorn. Johan. Norwicen. & Willielmum Exonien. Episcopos.

Nota, That I call an extraordinary Proxy, when a Bishop Constitutes one Proctor, or more than two, and when a Temporal Lord Constitutes more than one; for of ten Temporal Lords, who sent Proxies this Parliament, none appointed more than a single Proctor, and of seven Spiritual Lords, four Constituted but two Proctors apiece.

Note also, That the Earl of Leicester had this Parliament seven Proxies sent unto him, all Entred in the Original Journal-Book of the Upper House, to have been returned on the said

4th day of April; viz. from William Marquess of Winchester, Edward Earl of Derby, Henry Lord Berkely, Henry Lord Scroope, George Earl of Shrewsbury, Edward Lord Dudley, and Ambrose Earl of Warwick. *Vide* a like President on Tuesday the 22th day of October, An. 8 Reg. Eliz. *anted.*

On Thursday the 5th day of April, to which day the Parliament had been doubtless continued or Adjourned Yesterday, although through the Clerks negligence it be not at all mentioned in the Original Journal-Book of the Upper House,

Two Bills of no great moment, had each of them one reading; of which the second being the Bill for the punishment of Collectors, Receivers, &c. for their fraudulent and unjust deceiving of the Queens Majesty in their Offices, was read *primâ vice*.

The Bill for the reviving and continuance of certain Statutes, was read the first time, and *commissa* Vice-Comiti Mountague, Episcopo London, Episcopo Hereford, Episcopo Elien. Episcopo Wigorn. Domino Wentworth, Domino Shandois, Domino St John de Bletsoe, Domino Primario Justiciario Banci Regis, Justiciario Welch, & Justic. Southcot.

Nota, That here a Bill was committed upon the first reading, of which although it be not very usual, yet there want not divers Presidents. *Vide* April the 20th Friday *postea*.

Nota also, That here the Judges, being but Assistants unto the Upper House, are made joint Committees with the Lords, which is usually found in all these Parliaments of her Majesties Reign, until the thirty ninth of the same.

Dominus Custos magni Sigilli adjournavit præsens Parliamentum, until to Morrow at eight of the Clock.

On Friday the 6th day of April, Three Bills of no great moment, had each of them one reading; of which the third touching Receivers, &c. deceiving the Queen of her Treasure, was read *secundâ vice*, & *commissa* to the Earl of Hunt. the Earl of Bedford, the Earl of Leicester, the Bishop of Rochester, the Bishop of Salisbury, the Bishop of Lincoln, the Lord Hastings of Loughborough, the Lord North, the Lord Hunsdon, and to the Queens Attorney, and M^r Solicitor.

Nota, That here the Queens Attorney and Solicitor, who are but meer Attendants upon the Upper House, are made joint Committees with the Lords.

Dominus Custos magni Sigilli adjournavit præsens Parliamentum in diem Crastinum hora nona.

On Saturday the 7th day of April, the Lords Assembled according to the last Adjournment, and the Lord Keeper being absent, *Dominus Clinton vicem gerens Senescalli, ex mandato Domine Regine, continuavit præsens Parliamentum usq; in diem Lunæ proximum hora nona.*

April the 8th Sunday.

On Monday the 9th day of April, Two Bills had

had each of them one reading; of which the first being the Bill against such as shall bring in any Bulls, &c. was read *prima vice*, and committed unto the Earl of *Suffex*, the Earl of *Huntington*, the Earl of *Pembroke* and others; and to the Chief Justices of the Common-Pleas, Justice *Southcot*, and Justice *Carus*.

Nota, That the Judges, who were but meer Assistants unto the Upper House, are here made joint Committees with the Lords. *Vide consimile Apr. 5. Thursday.*

And the second touching Receivers, Collectors, &c. was read the second time, & *eisdem Dominis quibus primò commissa fuit, denuò committitur.*

Nota, That this Bill was read before, the second time, on *Friday* the 6th day of this instant *April* foregoing, and committed, and therefore it should seem that this Bill was not now read again the second time, but only some additions or amendments thereunto annexed by the Committees, and thereupon the Bill was again referred unto them, to be further considered of.

For that Sir *Nicholas Bacon* Knight, Lord Keeper of the Great Seal of *England*, was sick, her Majesties Letters Patents were read, Authorizing Sir *Robert Catlin*, Chief Justice of *England*, to supply the place of the said Lord Keeper, at all times, when the Lord Keeper, during this present Parliament, shall be absent: The tenor of which here followeth *verbatim*.

Elizabeth by the Grace of God, Queen of *England*, *France* and *Ireland* Defender of the Faith, &c. To our Trusty and Right Well-beloved Sir *Robert Catlin* Knight, Chief Justice of our Common-Pleas, before us to be holden, Greeting. Where our Right Trusty and Right Well-beloved Councillor, Sir *Nicholas Bacon* Knight, Lord Keeper of our Great Seal of *England*, is at this time so visited with Sickness, that he is not able to travel to the Upper House of this our present Parliament, holden at *Westminster*, nor there to supply the room and place in the said Upper House, amongst the Lord Spiritual and Temporal there Assembled, as to the Office of the Lord Chancellor, or Lord Keeper of the Great Seal of *England* hath been accustomed; We therefore minding the same place and room to be supplied, in all things as appertaineth, for and during every time of his absence, have named and appointed you, and by these Presents, do Constitute, name, appoint and authorize you, from day to day, and time to time, when and so often as the said Lord Keeper shall happen at any time or times, during this present Parliament to be absent from his accustomed place in the Upper House, to occupy, use and supply the room and place of the said Lord Keeper, in the said Upper House, amongst the said Lords Spiritual and Temporal there Assembled, at every such day and time of his absence, and then and there at every such time, to do and execute all such things, as the said Lord Keeper of the Great Seal of *England*, should or might do, if he were there personally present, using

and supplying the same room. Wherefore we will and Command you the said Sir *Robert Catlin*, to attend to the doing and Execution of the Premises with effect. And these our Letters Patents shall be your sufficient Warrant and discharge for the same, in every behalf. In witness whereof, we have caused these our Letters to be made Patents. Witness our selves at *Westminster*, the 9th day of *April*, in the Thirteenth Year of our Reign.

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Nota, That this Commission is in one respect very exotick, and unusual, because it doth not only give Authority to the Lord Chief Justice to supply the Lord Keepers place, until his recovery and return to Parliament, as is ordinary in other Commissions; but it doth further authorize him to supply the said Lord Keepers place, at any time during this Parliament, when he shall be absent, as well as at this present; whence in this ensuing Journal it is frequent, that sometimes the Lord Keeper, and sometimes the Lord Chief Justice, though seldomer, without any new Commission, do in their several turns continue the Parliament.

Robertus Catlin Miles, Dominus Capital. Justiciarius Banci Regis, continuavit præsens Parliamentum usq; in diem Crastinum hora nona.

On *Tuesday* the 10th day of *April*, *Billa de novo reformata per Dominos, quibus pridie committebatur*, touching the bringing in of any Bulls, or other Writings from the Bishop of *Rome*, was read the first time.

The new Bill touching Receivers, Treasurers, Collectors, &c. defrauding the Queens Majesty of her Treasure, was read the first time.

The Bill touching the Confirmation of the Attainder of *Charles* Earl of *Westmerland*, *Thomas* Earl of *Northumberland*, and others, was read the first time.

The Lords requested to have Conference with certain of the House of Commons, touching a Bill brought to them, concerning matters of Religion, whereupon Committees were appointed; viz. the Archbishop of *Canterbury*, the Marquess of *Northampton*, and others.

The Lord Keeper continued the Parliament, *usque in diem Crastinum hora Octava.*

On *Wednesday* the 11th day of *April*, it was Ordered by the House, that the Lords Committees for the Bill of Bankrupts, may call unto them such of the House of Commons, and others, as they shall think good, which may best inform touching any doubt, or other matter, that may rise upon the said Bill.

Two Bills also had each of them their second reading, of which the second being the new Bill against the bringing in of Bulls, was read the second time, & *commissa Justiciario Southcot.*

Dominus Capitalis Justiciarius, &c. continuavit præsens Parliamentum usq; in diem Crastinum hora nona.

On *Thursday* the 12th day of *April*, the Bill against Receivers, Treasurers, &c. was read

tertiâ

tertiâ vice, & conclusa, and sent to the House of Commons, by Dr Lewis, and Dr Huick.

Two Bills also had each of them one reading, of which the first being the Bill for the avoiding of fraudulent Deeds, and Gifts, &c. was read *primâ vice*.

Dominus Custos magni Sigilli continuavit præsens Parliamentum in diem Sabbathi hora Octavâ.

On Saturday the 14th day of April, a Bill concerning the Commission of Sewers, was brought from the House of Commons, and read *primâ vice*.

Then the Parliament was continued by the Lord Chief Justice, &c. unto Thursday next *horâ nonâ*.

On Thursday the 19th day of April, to which day the Parliament had been last continued on Saturday foregoing, Three Bills of no great moment, had each of them one reading; of which the first being the Bill that the consent and Exemplification of Letters Patents, shall be as good and available as the Letters Patents themselves, was read *primâ vice*, & *commissa Domino Dier Justiciario, & Justiciario Southcot*.

Then the Parliament was continued in ordinary form by the Lord Keeper of the Great Seal, unto to Morrow *horâ nonâ*.

On Friday the 20th day of April, Five Bills had each of them one reading; of which the first being the Bill against bringing in of Bulls from the See of Rome, was read the second time, & *commissa ad ingrossandum*, it was read *secundâ vice antea*, and it seems now some Additions were only read.

The Bill against fraudulent Gifts, Alienations, &c. was read the first time, and thereupon committed unto the Earl of Suffex, Viscount Hereford, and other Lords, and to the Lord Chief Justice Dier, and Justice Southcot. *Vide Apr. 5th antea*. Another Bill committed upon the first reading.

The Parliament was continued in ordinary form by the Lord Keeper of the Great Seal, unto to Morrow *horâ nonâ*.

On Saturday the 21th day of April, Two Bills of no great moment, had each of them one reading; of which the first being the Bill against the bringing in and putting in Execution of Bulls, Writings, or Instruments, and other superstitious things, from the See of Rome, was read *tertiâ vice, & Communi omnium procerum assensu conclusa*, and sent to the House of Commons by Sir Richard Read Knight, and Dr Yale.

The Bill against fraudulent Gifts, Alienations, &c. was read *primâ vice*, but it should rather seem, That this Bill was read *secundâ vice*, in respect that it had its first reading before on Friday the 20th day of this instant April; and being then committed, was either now upon the bringing in of it again by the Committees, read the second time; or else some Additions or Amendments thereof annexed unto it, by the said Committees, were now read the first time, and not the Bill it self; but whether it were th'one or the other, it may easily be conjectured, that this Bill was dashed in the House, upon the said

reading this Forenoon; for on Wednesday the 25th day of this instant April ensuing, a new Bill (as is very probable) with this very Title, had its first reading.

The Bill for Commissions of Sewers, was committed unto the Earl of Bedford, the Bishop of Worcester, the Bishop of Ely, the Lord Admiral, the Lord Burleigh, the Lord Rich, the Lord the Lord Darcie, de Dethick, and unto Justice Southcot.

Nota, That the Bill here committed, is not mentioned to have had any reading at this time, although it were most probable, that this commitment had reference to the second reading of the Bill in the Morning Yesterday, notwithstanding that the second reading thereof be there omitted, as a matter of no great moment, which is a thing both likely and usual; neither do there want Presidents of this nature in the very next Session of Parliament ensuing, in An. 14 Reg. Eliz. where divers Bills are referred to Committees, although there be no mention made of any reading they had: *Ut vide* on Wednesday the 28th day of May, on Wednesday the 4th day, on Tuesday the 9th day of June, in anno Prædicto.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Mercurii prox. horâ Octavâ.

On Wednesday the 25th day of April, Three Bills of no great moment, had each of them one reading; of which the first being the Bill for the Confirmation of the Attainder of Charles Earl of Westmerland, Thomas Earl of Northumberland, and others, was read *secundâ vice*, & *commissa ad ingrossandum*.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Crast. horâ nonâ.

On Thursday the 26th day of April, Three Bills of no great moment, had each of them one reading; of which the third being the Bill for avoiding of fraudulent Gifts, was read *secundâ vice*, and committed to the Earl of Suffex, Viscount Hereford, and others, and to Serjeant Barham, and the Queens Solicitor.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Sabbathi prox. horâ nonâ.

On Saturday the 28th day of April, Five Bills of no great moment, had each of them one reading; of which the fourth being the Bill for the Confirmation of the Attainder of Charles Earl of Westmerland, Thomas Earl of Northumberland, and others, was read *tertiâ vice, & conclusa*. And the fifth and last, being the Bill for the reviving and continuance of certain Statutes, was read *tertiâ vice, & conclusa*, and sent to the House of Commons by Serjeant Barham, and the Queens Solicitor.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Lunæ prox. horâ nonâ.

April the 29th Sunday.

On Monday the 30th day of April, Four Bills of no great moment, had each of them one reading; of which the second being the Bill against Usury, was read the second time, and committed

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ted unto the Archbishop of Canterbury, the Earl of *Suffex*, the Earl of *Huntington*, the Earl of *Leicester*, the Bishop of *Winchester*, the Bishop of *Worcester*, the Bishop of *Chichester*, the Bishop of *Lincoln*, and others; and to Serjeant *Barham*, and the Solicitor General.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Crastinum horâ Octavâ.

On *Tuesday* the first day of *May*, the Bill to make a free Denizen *Peregrine Barty*, Son of *Rickard Barty Esq;*, and *Katherine Dutcheffs of Suffolk* his Wife, was read *primâ vice*.

Four Bills were brought from the House of Commons, of which one was the Bill against Fugitives over the Sea. Another was the Bill for the Town of *Shrewsbury*.

Three Bills also had each of them one reading, of which the second being the Bill against fraudulent Deeds, Gifts, Alienations, &c. was read *tertiâ vice* & conclusa, & commissa *Sollicitatori Domine Regine*, & *Doctori Lewis*, in *Domum Communem* deferend.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Crastinum horâ Octavâ.

On *Wednesday* the second day of *May*, Five Bills of no great moment, had each of them one reading; of which the second being the Bill touching *William Skeffington*, was read *primâ vice*, and the third against Fugitives over the Seas, was read *primâ vice* & commissa unto divers Lords Spiritual and Temporal, of which the Lord *Hastings of Loughborough*, a Grand Pailiff, was one.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem proximum horâ nonâ.

On *Thursday* the 3^d day of *May*, Five Bills of no great moment, had each of them one reading; of which the fourth being the Bill touching Dilapidations by Ecclesiastical persons, was read *primâ vice*, and committed unto Viscount *Hereford*, Viscount *Mountague*, the Bishop of *Winchester*, the Bishop of *Worcester*, the Bishop of *Ely*, the Bishop of *Rocheſter*, the Bishop of *Carlisle*, the Bishop of *Lincoln*, the Lord *Grey*, the Lord *Cobham*, Doctor *Lewes*, and Doctor *Tale*.

Nota, Though it be very usual in most of the Journals of her Majesties Reign, for the Judges and sometimes for the Queens Learned Council to be nominated joint Committees with the Lords, this present commitment foregoing is a very rare and unusual President, in respect that two Doctors only (as I conceive) of the Civil Law, are made joint Committees as aforesaid. But the reasons of this here may well be, in respect that this Bill concerned Dilapidations, properly belonging to the Ecclesiastical Courts, in which they are for the most part best Experienced. And this may be a cause also, that the Spiritual Lords in this Committee are more than the Temporal, which is very sel-

dom or rarely seen, but in some such like Case.

Two Bills were brought from the House of Commons, of which the second was the Bill for the Ministers of the Church to be of sound Religion.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Sabbati proximum horâ nonâ.

A Release at large, and *ad verbum*, by *Henry Sacheverill* of *Risby*, in the County of *Leicester*, Gent., unto *William Skeffington*, and his Heirs, of all the right, which the said *Henry Sacheverill* had by Feoffment of *William Skeffington Esq;*, and *Ralph Sacheverill*, and their Coseoffees, Dated 30 die *Januarii*, anno 22 *Regin. Eliz.* in the Mannors, Lands, &c. of and in *Kersby*, *Trussington*, *Thriamoston*, *Humberston*, *Silby*, *Burton super Molez*, & in *Queenborough* in *Com. Leicester*, which the said *William Skeffington* and *Ralph Sacheverill* had from *George Clemand*, and in all other Mannors, Lands, &c. lying in the Towns and Fields of *Skevington* in the County of *Leicester*, and *Stock* in the County of *Lincoln*, or elsewhere in *England*, *cognit. usitat. locat. reputat. seu accept. ut possessiones & hereditamenta prædicti Willielmi Skeffington*, *Licet tamen re verâ iidem Willielmus & Rudolphus nec eorum alter eadem maneria, terras, Tenementa & Hereditamenta in illo scripto ultimo nominato mihi præfato Henrico tradere, dimittere, feoffare, concedere, deliberare seu confirmare nimirè intenderint, seu voluerint, sed tantummodo idem scriptum taliter continens eadem Maneria, terras, tenementa & hereditamenta, per fraudem & deceptionem mei præfati Henrici indubitè obtentum fuit.*

Then the same Deed of Release containeth Warranty of all the Premises unto *William Skeffington*, and his Heirs, against the said *Henry Sacheverill* his Heirs and Assigns for ever: *In cujus rei testimonium huic præfati scripto meo sigillum meum apposui. Dat. quinto die Martii, Anno Regni illustrissimæ Domine nostræ Elizabethæ, Dei Gratia Angliæ, Franciæ & Hiberniæ Regine, Fidei Defensor. &c. Decimo tertio.*

Nota, That *Robert Bowyer Esq;*, who succeeded *Sir Thomas Smith Knight*, in the place of Clerk of the Upper House, in *An. 6 Jacobi Regis*, in his Abridgment of the Journal of the Queens time, hath at the end of this business touching *Henry Sacheverill*, inserted this Note ensuing.

Upon what occasion or how this matter between *Skeffington* and *Sacheverill* came in Question in the Parliament, or why other than that a Bill touching *William Skeffington* was brought from the House of Commons on *Tuesday* the first day of this instant *May* preceeding, and had its first reading on *Wednesday* the 2^d day, and its second reading on *Thursday* the 3^d day of the same Month foregoing, and was also read the third time and concluded, on this present 5th day of *May*, on which the said Release was Entered in the Parliament Book, appeareth not in the Journal so much as by circumstance, which

seemeth to have happened through the negligence of the Clerk of the Parliament, who was either Mr Spilman, or Mr Anthony Mason alias Weeks.

On Saturday the 5th day of May, to which, it should seem, the preceeding Release is to be referred, Four Bills of no great moment, had each of them one reading; of which the third being the Bill whereby certain offences be made Treason, was read *secundâ vice*, and committed unto the Archbishop of Canterbury, and others.

Two Bills also were brought to the Lords from the House of Commons, of which the first was the Bill for the coming to Church, and receiving the Communion.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Lunæ prox. hora Octavâ.

May the 6th Sunday.

On Monday the 7th day of May, Eight Bills of no great moment, had each of them one reading; of which the last being the Bill touching Dilapidations by Ecclesiastical Persons, was read *primâ vice*, and committed unto the Lords, that were before in that Bill appointed; whose names see on Thursday the third day of this instant May foregoing; and the Earl of Leicester and the Lord of Loughborough were added unto them.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Crastinum horâ nonâ.

On Tuesday the 8th day of May, Four Bills of no great moment, had each of them one reading; of which the last being the Bill for respite of Homage, was read *secundâ vice*, & *commissa Attornato & Sollicitatori Domine Regine.*

The fourth lastly, being the Bill whereby certain offences be made Treasons, was read *tertiâ vice*, & *conclusa*, with a new Proviso added thereunto by the Lords, and certain Amendments, and committed to Mr Attorney, and Mr Solicitor, to be carried to the House of Commons.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Crastinum horâ Octavâ.

On Wednesday the 9th day of May, the Bill for coming to Church and receiving the Communion, was read *secundâ vice*, and committed to the Earl of Sussex, the Earl of Huntingdon, the Earl of Bedford, Viscount Mountague, the Bishop of Winchester, the Bishop of Hereford, the Bishop of Salisbury, the Bishop of Lincoln, the Lord Burleigh, the Lord Cobham, the Lord Lumley, the Lord Hastings of Loughborough, and Serjeant Barham.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Crastinum horâ Octavâ.

On Thursday the 10th day of May, Four Bills of no great moment, had each of them one reading; of which the second being the Bill for the appointing of two several Sheriffs for the Counties of Cambridge and Huntingdon, was

read *secundâ vice*, & *commissa ad ingrossandum.*

And the last, that no Purveyors shall take any Corn, Grain or Victuals, within five Miles of Cambridge and Oxford, was read *primâ vice.*

Nota, That Cambridge is here ranked before Oxford in the title of this Bill.

Nine Bills were brought up to the Lords from the House of Commons; of which the third being the Bill against the bringing in and putting in Execution of Bulls, &c. from the See of Rome, was returned (as it seemeth) not expedited; for the Journal-Book doth not set it down *conclusa*, as in like Cases is usual.

The Earl of Sussex, the Earl of Bedford, the Earl of Winchester, the Bishop of Ely, the Lord Burleigh, and the Lord Wentworth, were appointed to confer with certain of the House of Commons about the Bill of Tellors, &c.

The Bill for increase of Tillage, and maintenance of the Navy, was referred to Committees; of which two were Viscount Hereford, and Viscount Mountague, but no mention is made of the reading of it; of which nature see a like President on Saturday the 21th day of April foregoing.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Sabbati horâ Octavâ.

On Saturday the 12th day of May, the Bill for two Fifteenths and Tenths, and one Subsidy granted by the Laity, was read *primâ vice.*

Seven Bills were brought up to the Lords from the House of Commons; of which one was the Bill to restrain the Oppression of Common Promoters; and another for the maintenance of Navigation.

Four Bills also had each of them one reading, of which the third being the Bill for Restitution in Bloud of the Children of Sir Thomas Wyatt Knight, was read *tertiâ vice*, & *conclusa.*

The Bill lastly, against the bringing in of Bulls, &c. was committed to the Lords, that were in the Committee for the Bill of Treasons; who were appointed on Saturday the 5th day of this instant May foregoing, to confer therein in certain points, with certain of the House of Commons.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Lunæ prox. horâ Octavâ.

May the 13th Sunday.

On Monday the 14th day of May, Nine Bills of no great moment, had each of them one reading; of which the second being the Bill for one Subsidy and two Fifteenths and Tenths, granted by the Laity, was read *secundâ vice.* *Vide* May 16. *postea*, The reason why no Commitment. And the last for Orders for Bankrupts, was read *secundâ vice* & *commissa ad ingrossandum.*

Three Bills which passed this day with the Bill for Restitution in Bloud of the Children of Sir Thomas Wyatt Knight, were sent to the House of

of Commons by Mr Solicitor, and Doctor Lewis.

The Bill for respite of Homage, was referred to Committees, but no mention made of the reading of it; of which see a like President on Saturday the 21th day of April foregoing.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usque in diem Crastinum horâ Octavâ.

On Tuesday the 15th day of May, Five Bills had each of them one reading; of which the first being the Bill for one Subsidy and two Fifteenths and Tenths, granted by the Laity, was read *secundâ vice*, & *conclusa*.

Five Bills were brought to the Lords from the House of Commons, of which one was for the Confirmation of the Attainder of Charles Earl of Westmerland, and Thomas Earl of Northumberland and others, with a Proviso and Amendments. And another was the Bill for the Town of Lestwithiell in the County of Cornwall.

The Bill lastly against Simony was read *secundâ vice*, and committed to the Earl of Huntington, the Earl of Bedford, the Bishop of Winchester, the Bishop of Ely, the Bishop of Salisbury, the Bishop of Lincoln, the Lord Burleigh, the Lord Shandois, the Lord Hastings, and the Lord Hunfdon: And to the same Committees was likewise committed the Bill against corrupt Presentations.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usque in diem Crastinum horâ Octavâ.

On Wednesday the 16th day of May, Three Bills of no great moment, had each of them one reading; of which the third being the Bill touching Orders for Bankrupts, was read *tertiâ vice*, & *conclusa*, and sent to the House of Commons, by Doctor Yale, and Doctor Huick.

The Proviso and Amendments required by the House of Commons, to be put in the Bill for Confirmation of the Attainder of the Earls of Westmerland and Northumberland, &c. were thrice read, and the Lords gave their Assent thereunto.

The Amendments likewise in the Bill for Consts and Exemplifications of Letters Patents, being thrice read, the Lords also gave their Assents.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam post Meridiem.

About which hour the Lord Keeper and divers other Lords, both Spiritual and Temporal, meeting, thirteen Bills of no great moment, had each of them one reading; of which the third touching Dilapidations, the fifth for Confirmation of a Subsidy granted by the Clergy, and the twelfth that no Hay or Plate shall cross the Seas, were each of them read the second time, and ordered to be ingrossed.

And of the said Bills the second being to License the Earl of Leicester to Erect an Hospital, the fourth for the making of the River of Wel-

land Navigable, the eighth for the maintenance of Navigation, and the tenth for the continuance of making of Caps, were each of them read *secundâ vice*; but no mention is made, that they were either ordered to be ingrossed, or referred to Committees, of which there can be but two Reasons; the first, that the Lords deferred the committing or ingrossing thereof until some other time, as fell out before in the Bill touching the Commission of Sewers; which being read *secundâ vice*, on Friday the 2^d day of April foregoing, was referred to a Committee the day following (although sometimes it may be omitted likewise through the negligence of the Clerk of the Upper House) or else another reason there may be, that such Bills having passed the House of Commons, and being sent up to the Lords fairly ingrossed in Parchment, can be no more ingrossed, neither do the Lords ordinarily refer such Bills to Committees, unless there be very great Cause, in respect that each House holding correspondency with other, they do not willingly submit that to the agitation of a private Committee, which hath been allowed and approved by the wisdom of a whole House.

There may also lastly a third reason be assigned, in some extraordinary Cases, as this; where Bills of Grace, viz. for the Restitution in Blood of any, and such like, were sent to the House from her Majesty fairly ingrossed in Parchment, and Signed with her Hand, which for the most part do pass the House, without any stop or question.

On Thursday the 17th day of May, to which day the Parliament had been last continued by the Lord Keeper on the day foregoing, Six Bills of no great moment, had each of them one reading; of which the first touching Morrice Rodney Esq; the second for the Town of Lestwithiell in the County of Cornwall, and the last to discharge Sheriffs of the Dyets of the Justices of Assize, were each of them read the second time; but no mention was made, that they were either Ordered to be ingrossed, or referred to Committees; of which see the reason at large discussed on the day foregoing, fitly suiting to this present occasion.

Three Bills also of the foresaid six, had each of them their third reading, and passed the House; of which the first was the Bill for Restitution in Blood of Henry Brereton Esquire, and the second to License the Earl of Leicester to found an Hospital.

Seven Bills of no great moment, were brought from the House of Commons; of which the first being the Bill whereby certain offences are made Treason, was returned *conclusa*, with requests that it might be fair written again, which the Lords performed accordingly on Tuesday the 21th day of this instant May ensuing.

Three Bills also had each of them one reading; of which the last being the Bill for coming to Church, and receiving the Communion, was read *tertiâ vice*, & *conclusa*, *dissentientibus Comitibus Wigorn.*

Wigorn. & Southampton., & Dominis Windsor & Vaux.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam post meridiem.

About which hour the Lord Keeper and divers other Lords, both Spiritual and Temporal, meeting, six Bills of no great moment, had each of them one reading; of which the first being the Bill for the increase of Tillage, and maintenance of the Navy, was read the second time, and referred to the Committees; of which two were Viscount Hereford, and Viscount Mountague.

The Bill also for the Town of Bristol, was read the second time; but there is no mention made, that it was referred to Committees, or ordered to be ingrossed, because it had been sent up to the Lords, from the House of Commons, on Tuesday the first day of this instant May foregoing; of which see a like President on Wednesday the 16th day of the same Month, immediately preceeding.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Sabbati hora nona.

On Saturday the 19th day of May, Eight Bills of no great moment, had each of them one reading; of which the fourth being the Bill for avoiding of delays upon Vouchers in real actions, was read *primâ vice*, and was thereupon committed to the Lord Dier, Chief Justice of the Common-Pleas, and other the Justices, to consider thereof; and the fifth being the Bill touching the Town of Southampton, was read *tertiâ vice*, & *conclusa*, with certain Corrections and Amendments thereunto added by the Lords.

Two Bills were brought up to the Lords from the House of Commons; of which the first being the Bill for the preservation of Timber and Wood, was read *primâ vice*.

The Bill for Southampton, the Bill for the Subsidy of the Clergy, and Fugitives over the Seas, were delivered to Doctor Lewis, and Doctor Tale, to be carried to the House of Commons.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam post Meridiem.

About which hour the Lord Keeper and divers other Lords meeting, Six Bills of no great moment, had each of them one reading; of which the third being the Bill to restrain the oppression of common Promoters; and the last for the avoiding of Perjury in Clerks Convict, were each of them read *secundâ vice*; but no mention is made, that they were ordered to be ingrossed, or referred to the Committees, because they had been formerly sent unto the Lords from the House of Commons, on Saturday the 12th day, and on Tuesday the 15th day of this instant May foregoing; of which see a like President on Wednesday the 16th day of the said Month of May preceeding.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Lunæ prox. horâ nonâ.

May the 20th Sunday.

On Monday the 21th day of May, Eight Bills had each of them one reading; of which the last being the Bill against Vagabonds, and for relief of the Poor, was read *secundâ vice*; but no mention is made, that it was either ordered to be ingrossed, or referred to Committees, because it had been sent up unto the Lords from the House of Commons, on Saturday the 19th day of this instant Month of May preceeding; although it be there omitted.

The second of the said eight Bills, being for the preservation of Wood, was read the second time, and committed unto divers Lords, and unto the Queens Solicitor.

The Bill for Confirmation of a Subsidy granted by the Clergy, was returned by the Lords from the House of Commons *conclusa*.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam post Meridiem.

About which hour the Lord Keeper and divers other Lords, both Spiritual and Temporal meeting; Three Bills of no great moment, had each of them one reading; of which the second being the Bill for the Commutation of Penance in Clerks Convict, was read *secundâ vice*, & *commissa* unto the Earl of Hereford, Viscount Hereford, the Bishop of Winchester, and the Bishop of Worcester.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem proximum horâ Octavâ.

On Tuesday the 22th day of May, the Bill to make the Lands and Tenements of Tellors, &c. liable to the payment of their Debts, was read *tertiâ vice* & *conclusa* & *missa in Domum Communem* by Doctor Lewis and Doctor Tale, together with the Bill of Treasons, newly written out and examined by six of the Lords, according to the request of the House of Commons on Thursday the 17th day of this instant May foregoing; viz. the Earl of Huntington, the Earl of Bedford, Viscount Mountague, the Bishop of Worcester, the Bishop of Salisbury, and the Bishop of St Davids.

Two Bills also of no great moment, had each of them one reading; of which the second being the Bill to restrain the oppression of common Promoters, was read *tertiâ vice*, & *conclusa*, with certain Amendments added thereunto.

Five Bills were brought up to the Lords from the House of Commons; of which the first was the Bill to make the River of Welland Navigable, the second against Simony; the third for the severance of Sheriffs in the Counties of Bedford and Buckingham; the fourth for the erection of a Grammar-School and writing-School in the Borough of Southwark; and the last for the making of William Watson a free Denizen.

Dominus Custos magni Sigilli continuavit præsens

sens Parliamentum usq; in horam secundam post Meridiem.

About which hour the Lord Keeper and divers other Lords both Spiritual and Temporal, meeting, Two Bills of no great moment, had each of them one reading; of which the first being the Bill for the Erection of a Grammar-School and Writing-School in the Borough of *Southmark*, was read *primâ vice*.

The Bill to restrain the Oppression of common Promoters, was sent to the House of Commons, by Mr Attorney and Doctor *Huick*.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem proximum horâ Octavâ.

On *Wednesday* the 23th day of *May*, Two Bills of no great moment, had each of them one reading; of which the second being the Bill touching Priests disguising themselves, was read the first time.

Ten Bills were brought from the House of Commons, the first to License the Earl of *Leicester* to found an Hospital; the second whereby certain offences be made Treasons; the third against fraudulent gifts to the intent to defeat Dilapidations; the fourth for the paving of the Town of *Ipswich*; the fifth whereby the Queens Majesties Servants in Ordinary of her Household and Chamber, shall not be returned on Juries; the sixth against the bringing in of Foreign Wares forbidden; the seventh for the continuance of Sheriffs of sundry Counties; the eighth for the bringing in of Bow-staves into the Realm; the ninth for Ministers of the Church to be sound in Religion; and the tenth for paving of a street without *Aldgate*.

Dominus Capitalis Justiciarius continuavit præsens Parliamentum usq; in horam secundam post Meridiem.

Nota, That here the Lord Chief Justice did continue the Parliament unto the Afternoon, by Virtue of that Authority which was given unto him by her Majesties Commission, under the Great Seal of *England*, and set down at large on *Monday* the 9th day of *April* foregoing.

On the said 23th day of *May*, in the Afternoon, Seven Bills of no great moment, had each of them one reading; of which the third being the Bill for the paving of a Street without *Aldgate*; the fourth for the bringing in of Bowes-staves into the Realm; and the sixth for the paving of the Town of *Ipswich*; were each of them read the second time; but no mention is made, that they were either referred to the Committees, or ordered to be ingrossed, in respect that they had been sent up to the Lords from the House of Commons, this present *Wednesday* in the Forenoon; of which see a like President on *Wednesday* the 16th day of this instant *May* foregoing.

The last also of the said seven Bills, touching Priests disguising themselves in strange Apparel, was read the second time, & *commissa ad ingrossandum*.

Dominus Capitalis Justiciarius continuavit præsens Parliamentum usq; in diem proximum horâ Octavâ.

On *Thursday* the 24th day of *May*, Five Bills of no great moment, had each of them one reading; of which the first being the Bill for the maintenance of the Navy, and for encrease of Tillage; and the second for incorporating and uniting of *Weymouth*, and *Melcomb-Regis* in *Com. Dorset*, were each of them read *secundâ vice*, & *commissa ad ingrossand*.

Eight Bills were brought up to the Lords from the House of Commons; the first being the Bill for coming to Church, and receiving the Communion; the second touching order for Bankrupts; the third for the Commission of Sewers; the fourth for the appointing of two Sheriffs for the two Counties of *Huntington* and *Cambridge*; the fifth for the restitution in Blood of Sir *Thomas Wyat's* Children; the sixth, that no Hay or Plate shall cross the Seas; the seventh for speedy Tryal to be had upon Issues in the Counties of *Salop.* and *Hereford*; and the last was the Bill for the Tryal of Felons in the twelve Shires of *Wales*.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam post Meridiem.

About which hour the Lord Keeper and divers other Lords, both Spiritual and Temporal, being Assembled, Two Bills of no great moment, had each of them one reading; of which the first being the Bill for the Incorporation of both Universities, and the second for the Tryal of Felons in the twelve Counties of *Wales*, were each of them read *primâ vice*.

The Bill for coming to Church, and the Bill for severance of Sheriffs in the Counties of *Bucks* and *Bedford*, were delivered to Doctor *Tale* and Doctor *Vanghan*, to be carried to the House of Commons.

Two Bills also had each of them one reading; of which the first being the Bill for the speedy Tryal to be had upon Issues in the Counties of *Salop* and *Hereford*, was read *prima vice* & *commissa Justiciario Harper*.

Three Bills were brought up to the Lords from the House of Commons; the first to restrain the oppression of common Promoters; the second for the restitution in Blood of *Henry Brereton* Esquire; and the third for *John Tirrell* Esq;.

The Bill for the paving of the Town of *Ipswich*, was read *tertiâ vice*, & *conclusa*.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usque in diem Crastinum horâ Octavâ.

On *Friday* the 25th day of *May*, Three Bills had each of them one reading; of which the first was for the Incorporation of both Universities; the second for the Incorporation and uniting of *Weymouth* and *Melcomb-Regis*, in *Com. Dorset*; and the third for increase of Tillage, and maintenance of the Navy; they had each of them their third reading; and passed upon the question.

tion. And were sent to the Commons by Mr Attorney, and Doctor Vaughan.

Five Bills also of no great moment, had each of them one reading; of which the last being the Bill whereby the Queens Majesties Ordinary Servants of Household and Chamber, shall not be returned on Juries, was read *tertiâ vice* & reject.

Two Bills were brought up to the Lords, from the House of Commons; of which the first being the Bill for coming to Church, and receiving the Communion, was returned *conclusa*.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam post Meridiem.

About which hour the Lords met, but nothing was done save only the continuance of the Parliament by the Lord Keeper, usq; in diem proximum horâ Octavâ.

On Saturday the 26th day of May, Three Bills were sent up to the Lords from the House of Commons; of which the first being the Bill that no Purveyor shall take Grain, Corn or Victual, within five Miles of Cambridge and Oxford, was returned with certain Amendments, and so the Bill was concluded.

Two Bill also were brought from the House of Commons; of which the first was the Bill for the Incorporation and uniting of Weymouth, and Melcomb-Regis in Com. Dorset; and the second for the Town of Southampton.

The Bill touching Licences and Dispensations, was committed to the Archbishop of Canterbury, and others, and to Doctor Lewis, and Doctor Huick.

The Bill lastly for limitation of the Fees of Councillors, and others, towards the Law, was read *secundâ vice*, & commissa ad ingrossandum.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam post Meridiem.

About which hour the Lord Keeper and divers other Lords Assembling, Three Bills had each of them one reading; of which the second touching the Limitation of Fees of Councillors, and others towards the Law, was read *tertiâ vice* & *conclusa*, and sent to the House of Commons, by Doctor Lewis, and Doctor Vaughan.

Four Bills were brought from the House of Commons, of which the first was the Bill against Fugitives over the Seas; the second for Incorporation of both Universities; with a new Proviso added by the House of Commons, and certain Amendments, which were thrice read and assented unto; the third for reviving and continuance of Statutes; and the last touching corrupt Presentations.

The Bill touching severance of Sheriffs of sundry Counties, was read the second time; but no mention is made, that it was either referred to Committees, or ordered to be ingrossed, in regard it had been sent up to the Lords from the House of Commons, on Wednesday the 23th day of this instant Month of May preceeding: of

which see a like President on Wednesday the 16th day of the same Month foregoing.

The Bill against Fugitives, was sent to the House of Commons by Doctor Lewis and Doctor Tale, with the latter Proviso put out, and all other Amendments.

Three Bills were brought from the House of Commons, the first against Fugitives over the Seas, and the second for the increase of Tillage, and maintenance of the Navy.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Lunæ prox. horâ nonâ.

May the 27th Sunday.

On Monday the 28th day of May, Four Bills of no great moment, had each of them their third reading, and passed the House; of which the first was the Bill for John Tirrell Esq; and the second for the increase of Tillage, and maintenance of the Navy.

Two Bills were sent at several times unto the Lords from the House of Commons, of which the first being for the bringing in of the River of Lee to the North-side of the City of London, was returned with a new Proviso, and certain Amendments added by them of the House of Commons. And the second also for the assurance of certain Lands to the Lord Berkeley, and the Lady Katherine his Wife, was returned with certain Amendments and a Proviso added thereunto.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam post Meridiem.

About which hour the Lord Keeper, and divers Lords meeting, the Bill for the bringing in of the River of Lee, to the North-side of the City of London, was read *tertiâ vice*, with certain Provisoes and Amendments added thereunto by the House of Commons, and Assented unto by the Lords.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usque in diem Crastinum horâ Octavâ.

On Tuesday the 29th day of May, the Bill touching the Queens Majesties most Gracious, General and free Pardon, was read *primâ vice*, & *conclusa*.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam post Meridiem.

About which hour the Lord Keeper, and divers other Lords Assembling, Six Bills were brought from the House of Commons; of which the first being for the continuance of the severance of Sheriffs in sundry Counties, and the second to make the Lands, Goods and Chattels of Tellors, &c. liable to the payment of their Debts, were each of them returned *conclusa*.

The Bill of the Queens Majesties general and free Pardon, was returned *conclusa*.

Note that Robert Bowyer Esq; who succeeded Sir Thomas Smith in the place of Clerk of the Upper House, in An. 6 Jacobi Regis, in his Abridgment of the Journals of the said House, during

ring the Queens Reign, hath in this place upon the sending up of the aforesaid Bill of Pardon, left this Animadversion following; *viz.*

It seemeth the Clerks negligence that the sending of this Bill to the Lower House, is not set down in the Journal-Book: also by entrance of the returning thereof, it seemeth that the same was sent single, alone by special Messengers, and not with the other six Bills.

Nota also, That all the following passages of this Afternoon, excepting the entrance only of the Dissolution of the Parliament, are all transcribed out of the Original Journal-Book of the House of Commons, and the Speech of Sir Nicholas Bacon the Lord Keeper, was transcribed out of a Copy thereof which I had by me; as was also the manner of her Majesties passing the several Acts supplied by my self, according to the ordinary use of a former President thereof. None of all which passages (excepting that only touching the entrance of the Dissolution of the said Parliament) are at all found in the Original Journal-Book of the Upper House: But do now come to be supplied out of those other above-mentioned Manuscript Monuments; and in the first place out of the Original Journal-Book of the House of Commons, in manner and form following.

About four of the Clock in the Afternoon, the Queens Majestie being sat in her Royal Seat, in the Upper House, M^r Speaker made his Oration, presented unto her Majesty the Book of the Subsidy, and in the name of the whole House, gave her Majesty most humble thanks for her Highness general and free Pardon, and prayed her Majesties Royal Assent unto such Acts and Laws, as had passed both the Houses in this Session.

This being thus transcribed out of the Original Journal-Book of the House of Commons, fol. 39. a. now follows the Answer of Sir Nicholas Bacon, Lord Keeper of the Great Seal, at large, which he made unto the Speakers Speech, being transcribed out of a Copy I had by me.

M^r Speaker, The Queens Majesty hath heard, and doth very well understand, how discreetly and wisely you have declared the Proceedings of this Session in the Nether House; for Answer whereof, and for the better signification of what her Majesties opinion is, both of Parliament men and Parliament matters; this is to let you understand, her Majesty hath Commanded me to say unto you, that, like as the greatest number of them of the Lower House, have in the proceedings of this Sessions shewed themselves modest, discreet and dutiful, as becomes good and loving Subjects, and meet for the places that they be called unto: So there be certain of them, although not many in number, who in the proceeding of this Session, have shewed themselves audacious, arrogant and presumptuous, calling her Majesties Grants and Prerogatives also in question, contrary to their Duty and place that

they be called unto; And contrary to the express Admonition given in her Majesties name, in the beginning of this Parliament; which it might very well have become them to have had more regard unto. But her Majesty saith, that seeing they will thus wilfully forget themselves, they are otherwise to be remembered: and like as her Majesty allows and much commends the former sort, for the respects aforesaid, so doth her Highness utterly disallow, and condemn the second sort, for their audacious, arrogant and presumptuous folly, thus by superfluous Speech spending much time in meddling with matters neither pertaining to them, nor within the capacity of their understanding.

And thus much concerning the Parliament of the Lower House.

And as to the Lords here of the Upper House, her Majesty hath Commanded me to let you know, that her Highness taketh their diligence, discretion and orderly Proceedings, to be such, as redoundeth much to their Honour and Commendations, and much to her Comfort and Consolation. And here an end touching Parliament men.

Now as to the Parliament matters, her Majesty hath Commanded me to open and declare unto you, her Opinion conceived therein, touching two things; the one is concerning the Subsidy and benevolence, the other is concerning the Execution of the Laws. As to the former, which concerneth the Subsidy and benevolence, her Pleasure is, that I shall say unto you, that in your dealings in that matter, she hath noted three things principally; every of them tending much to the setting forth of your benevolences, and good wills; The first is, who it was that granted, the second the manner of the granting, the third what it was that was granted. As to the first, her Majesty forgetteth not, that it is a grant made proceeding from the earnest affections, and hearty good wills of her good, dutiful and obedient Subjects, for the greatest part. And therefore hath Commanded me to say unto you, that she maketh a greater accompt of the great good wills and benevolent minds of her good and loving Subjects, than she doth of ten Subsidies; which as it ought to bring and breed in us great comfort and delight, so in reason it ought to move us (as I doubt not but it doth) to be and continue such as be worthy such an estimation and accompt. Again, her Majesty forgetteth not, that besides this is not a Grant by good and loving Subjects, that never made like Grant heretofore; but by such as have contributed from time to time, as the necessary Charges of the Realm, and their own Sureties have required; which doth much commend and set forth this benevolence of yours. And thus much concerning the persons that have granted.

And as to the second, which is the manner of granting, her Highness knoweth very well, that before her time these manner of Grants have sundry times past, not without difficulties, with
long

long persuasions ; and sometimes not without sharp Speeches, but this contrariwise without any such Speeches, or other difficulty hath been freely and frankly offered and presented ; and like as the former did much extenuate their benevolence, so is this of yours greatly extended. It is written and very truly, concerning Benevolences, *Qui diu distulit diu noluit*, and therefore justly concluded, *Bis dat qui cito dat* ; which sayings she cannot but apply to you, in the proceedings of your Grant.

Again, Universality in consent doth greatly commend also your dealings in this matter ; for a more universal consent than was in this, will hardly be had in any ; and therefore much the more commendable. And thus much touching the manner of the Gift.

And as to the third, which concerneth the thing given, her Majesty saith, that she thinketh it to be as great as any heretofore hath been granted, and therefore you are to receive con-dign thanks for it. And hath further willed me to say, that if the Service of the Realm and your Sureties would so permit and suffer, her Majesty would as gladly, as readily, and as frankly remit this Grant, as you have freely and liberally granted it. Thus I have remembred unto you the three Princely Observations, that her Majesty hath conceived of this benevolence of yours, much to your Comfort, and greatly to her Majesties Honour ; to your Commendation for granting, and to her Highness for this honourable accepting ; for her Majesty shall by this Grant receive no Commodity or benefit, but rather a continual care in dispending and employing of it, about the necessary Affairs and Service of the Realm, and your Sureties ; and yet it is a great Comfort to her Majesty, to see you thus frankly and freely join with her Self, the Realm, and You.

Now to the second and last part, which concerneth the Execution of Laws, which I mean to divide into two parts ; the first is the Execution of your Grant, the second is the Execution of Laws, now made by you, and of the rest made before of others. As to the former, I am to remember you, that like as it hath pleased the Queens Majesty thus Princely, Honourably and thankfully, to think of and accept this free and liberal Grant of yours ; so certainly, if the like diligence and endeavour be not used, by such of you as Choice shall be made of by her Majesty for the due putting in Execution of this Grant, then surely those that shall be thus remis, or negligent, as by that means her Majesty and the Realm shall be defrauded of any part of that which hath been thus freely granted, shall thereby minister just occasion to her Highness to have their fidelity and truth towards her Majesty, much to be suspected and charged ; which would touch them very near. Neither is it an offence that would be pretermitted, but severely punished. Why, if the Case were between common persons, can there be a greater untruth and

unthankfulness, than for a man to make a grant in appearance willingly and readily, and then to seek wilily and craftily to defraud the same Grant ? This amongst honest persons, is utterly detested, and if so, how then might it be thought of between the Prince and his Subjects ? where for divers respects this bond is thrice as great ; for as the Subject by the Duty of his Allegiance, is to serve the Prince truly, even so is he by his Oath, and so is he by the great trust, that by the Princes Choice is committed unto him, as a Commissioner in this matter, above others. Plainly to speak, it may be affirmed, and that justly, that such as be in Commission for the Execution of this Grant, and shall deal partially, either for favour, or for fear, or for love to themselves, or their Friends, or negligently or remissly, of purpose whereby her Majesty shall not be Answered of that that is due unto her, such I say, may justly be charged as men forgetting their Duty towards God, and their Sovereign, and to their Country. It cannot be denied, that numbers respect only their private profit, and not the universal profit of the Realm, which is their surety and defence ; they respect themselves, as private persons, and not as Members of the Universal Body ; but their imperfection would be supplied by the wisdom and persuasion of such, as the Queens Majesty shall commit trust unto by her Commission, to see this Subsidy well and truly levied.

And thus much for the Execution of the Grant ; Now to the Execution of Laws, made by you, and the rest made heretofore by others. I am to remember you, that all these labours, travels and pains taken about the Laws now made, and before time taken about the rest heretofore made, and all the Charge sustained by the Realm about the making of them, is all in vain, and labour lost, without the due Execution of them. For, as it hath been said, a Law without Execution, is but a Body without Life, a Cause without an Effect, a Countenance of a thing, and indeed nothing ; Pen, Ink, and Paper, are as much towards the Governance of the Common-Wealth, as the Rudder or Helm of a Ship serveth to the Governance of it without a Governour, and as Rods serve for Correction without hands. Were it not a meer madness for a man to provide fair Torches to guide his going by Night, and when he should use them in the dark, to carry them unlight ? or for one to provide fair and handsome Tools to prune or reform his Orchard, or Garden, and to lay them up without use ? And what thing else is it to make wholesome and provident Laws in fair Books, and to lay them up safe, without seeing them Executed ? Surely in reason there is no difference between the Examples, saving that the making of Laws, without Execution, is in much worse Case, than those vain provisions before remembred ; for those, albeit they do no good, yet they do no hurt ; but the making of Laws without Execution, does very much harm ; for that breeds and brings forth contempt of Laws, and Law-makers, and of all Magistrates ; which

is the very foundation of all misgovernance, and therefore must needs be great and hainous in those, that are the Causes of this; indeed they are the very occasions of all injuries and injustice, and of all disorders and unquietness in the Common-Wealth. For certain and evident it is, that the Queens Majesty, that is Head of the Law doth all meet for her Majesty to do, for the due Execution of them. First, She giveth her Royal Assent to the making of them, the most material of them she Commandeth to be Proclaimed, and published; and yet ceaseth not there, but she granteth out her Commission into every of her Shires, to men which are or should be of greatest consideration within the limits of their Charge, which for the better Executing of them are Sworn to see the Execution of her Laws to them Committed, within the Limits of their Commissions: and yet besides all this, by her Majesties Commandment, a number of these Justices are Yearly once at the least called into her Highnesses Star-Chamber, and there in her Majesties Name, Exhorted, Admonished and Commanded, to see the due Execution of their Charges.

And thus you see her Majesty Enacteth, Proclaimeth, Committeth, Exhorteth, Admonisheth and Commandeth from time to time; yea, what can be devised meet for her Majesty to do, for help if this, that is left undone? Surely nothing, to her Majesties Honour and Renown. Whereupon it followeth necessarily and consequently, that the whole burthen of the offence and enormity must light upon us, that are put in trust by her Majesty, to see those Laws Executed; and certainly this offence groweth great or little, as the trust Committed for the Execution of Laws, is great or little; and therefore it standeth us greatly upon, to use our whole Cares and Endeavours, for the help of this hereafter. Were it possible, trow you, that if Justices being dispersed through the whole Realm, as they be, did carefully and diligently endeavour themselves, according to the Trust committed unto them, by their Sovereign, duly and truly to Execute their Charge, as they be bound by their Oath to God, and by their Allegiance to their Sovereign, and by Duty to their natural Country, and rightly considered, by the love they should bear to themselves and their Posterity (for if their Country do not well, they shall fare but illfavouredly) were it possible, I say, if this were so done, that Laws should be thus remissly and negligently Executed? No, doubtless. Is it not (trow you) a monstrous disguising, to have a Justice a Maintainer; to have him that should by his Oath and Duty set forth Justice and Right, against his Oath offer Injury and Wrong; to have him, that is specially Chosen amongst a number by a Prince to appease all Brawlings and Controversies, to be a Sower and Maintainer of Strife and Sedition, by swaying and leading of Juries according to his will; acquitting some for gain, Indicting others for Malice, bearing with them, as his Servant or Friend,

over-throwing others as his Enemy; procuring the Questmonger to be of his Livery, or otherwise in his danger; that his winks, frownings, and Countenances may direct all Inquests? Surely, surely, these be they that be Subverters of all good Laws and Orders; yea, that make daily the Laws, which of their nature be good, to become Instruments of all Injuries and Mischief; these be they indeed of whom such Examples would be made, as of the Founders and Maintainers of all Enormities; and these be those, whom, if you cannot reform for their greatness, you ought to complain of them; and like as this is not said of those that be Good, so is this and much more to be said and done against those that be Evil.

But here it may be said, The mischief appears; what is the remedy? to make all Laws presently Executed? I can hardly hope to make them in better Case, than now they be, and although I had such hopes, I could find no more helps but these.

The first is having great Care in the choice of the Officers. The second by sharp Corrections imposed upon such Offenders. There should be throughout the Realm a Triennial or Biennial Visitation in this nature, made of all Temporal Officers, and Ministers, that by Vertue of their Office have in Charge to see Execution of Laws. By this, I mean, that the Queens Majesty should make choice every second or third year, of certain expert and approved persons, to whom Commission should be granted, to try out and examine by all good means and ways the offences of all such as have not seen to the due Execution of the Laws, and according to the offences so found and certified, to be sharply punished without Omission or Redemption.

Of effect like unto this, and to the like end, was the Visitation of the Church first devised, whereof came in the beginning great good doubtless; and reason I see none, but that a like good ought to follow upon a like Visitation made amongst Temporal Officers. Now to find out the faults seemeth not hard, for amongst many other ways, there is one plain, evident and easie; and that is where offences do abound in any Country, contrary to the Laws, which the Justices should so reform, and there be nothing done by them for the Reformation of those offences; I do not see but this makes a full charge of their uncarefulness and negligence, whereby they are well worthy, upon Certificate made, as is aforesaid, to be removed of all Governance, to their perpetual ignominy, and to the Commendation of all those that remain as good Officers.

And besides, to set forth other pains upon them, as by Law may be justified; if this were once or twice done, I doubt not but the Examples following of the doing of it would cause greater diligence to be used in the Execution of Laws, than now there is. And the better to understand which be those Justices that do offend,

why might there not be order taken, that the name of every Justice that hath not prosecuted any Offender, for any offence committed contrary to any Law, which by the Commission that he is in, he is authorized to see punished, might be entred into some Rolls; and also how often, and how many of those kind of offences he hath also prosecuted for a declaration of his diligence, whereby it might appear when such Visitation should come, who hath been careful, and who hath been negligent, to the end that the slothful, drowzy Drones, might be severed from the diligent and careful Bees. And like as I could wish this to be done concerning Offices of mean degree; so do I desire that the same course might be taken with the great and greatest; for so it should be Equable. But if there be nothing done therein, but things left as they have been, then must you look to have your Laws Executed as they have been, if not worse; for words will not reform these matters, as I have seen by proof. And this is the sum of what I have to say at this time, concerning the Execution of Laws.

This Speech of the Lord Keepers being thus transcribed out of the before-mentioned Copy thereof, now follows the manner of her Majesties giving her Royal Assent to such Acts as passed, as it is set down in the end of the Original Journal-Book of the Upper House, in *an. 39 Reg. Eliz.* although it be omitted in that of this present Parliament.

The Title of the Bill of Subsidy being read after the publick and private Acts; the Clerk of the said House standing up, did read the Queens Answer in manner and form following.

La Roigne remercie ses Loyaulx subjectts, accepte leur benevolence, & ainsi le veut.

The said Clerk having read the Queens acceptance, and thanks for the Subsidy given as aforesaid, did then upon the reading of the Title of her Majesties Pardon, pronounce in these French words following, the thanks of the Lords and Commons for the same.

Les Prelats, Seigneurs & Communes, en ce present Parliament Asssembles, au nom de tous vos autres subjectts, remercient tres humblement vostre Majesty, & prient à Dieu qu'il vous done & santé, bone vie & longue.

To every one of the publick Acts allowed by the Queen, the Clerk of the Parliament read these French words following.

La Roigne le veut.

To every private Act that passed, the said Clerk read the Queens Answer, in these French words following :

Soit fait come il est désiré.

These two last Answers to the publick and private Acts, that passed, are to be written by the said Clerk, at the end of every Act.

To such Acts, as her Majesty doth forbear to allow, the Clerk of the Parliament reads these French words following; *viz.*

La Roigne s'advifera.

Her Majesty finally having given her Royal Assent to twenty eight publick Acts, and thirteen private, Dissolved the Parliament, which is Entred in the Original Journal-Book of the Upper-House, in manner and form following; *viz.*

Dominus Custos magni Sigilli ex mandato Domine Regine Dissolvit præsens Parliamentum.

THE JOURNAL OF THE House of COMMONS.

A Journal of the Proceedings of the House of Commons, in the Parliament bolden at Westminster, An. 13 Reg. Eliz. A. D. 1571, which began there on Monday the 2^d day of April, and then and there continued until the Dissolution thereof on Tuesday the 29th day of May ensuing.

THIS present Journal of the House of Commons *de an. 13 Regin. Eliz.* is not only plentifully stored with all usual Passages touching the Orders and Priviledges of the House, but is most worthy to be had in Eternal Remembrance, in respect of the long agitation and judicious debatement of matters of Religion, and Ecclesiastical Government: for the Reformation of which, the said House did expresse a great deal of earnest zeal and care, although all in the issue came to nothing, out of that old Principle inculcated into her Majesty by some politick Head, and misapplied by her; *viz.* that nothing must be innovated in matters of Religion. All which matters, with those also less extraordinary, are more largely set down in the Original Journal-Book of the House of Commons, than was usual in the former Journals of her Majesties Reign, by reason that *Fulk Onslow* Esq; did, as may be guessed, succeed in the place of Clerk of the said House, unto *Seymour* Esq; somewhat before the beginning of this Parliament. Which said Journal is also much perfected out of an imperfect Journal of the same House I had by me, taken by some Anonymous Member of the said House, at this Parliament; in which, to avoid confusion, whatsoever is here inserted out of the said imperfect Journal, is distinguished by some Animadversion.

The third Parliament of Queen *Elizabeth* held in the Thirteenth Year of her Majesties most happy and prosperous Reign, begun at the City of *Westminster*, upon *Monday* the second day of *April*, and during the time that her Majesty was at the Sermon at *Westminster* Church, whither

she had repaired about ten of the Clock in the Forenoon of the said *Monday*, the Lord *Clinton* High Admiral of *England*, accompanied with divers of her Majesties most Honourable Privy-Council; that is to say, Sir *Francis Knolles* K^t, Treasurer of her Highness most Honourable Household, Sir *James Crofts* K^t, Comptroller of the same, Sir *Ralph Sadler* K^t, Chancellor of her Majesties Dutchy of *Lancaster*, Sir *Walter Mildmay* K^t, Chancellor of her Highness Court of Exchequer, and Sir *Thomas Smith* Knight, repaired into the Lower House of Parliament; And there in the presence and hearing of a great number of the Knights, Citizens and Burgeses of the same Parliament Assembled, the said Lord *Clinton* signified, that the Queens Majesty had called and appointed him to be the Steward of her Highness most Honourable Household, to continue during her Majesties pleasure: which being likewise affirmed and testified by the said other of her Highness most Honourable Privy-Council, the said Lord Steward then further declared, that he did then and there name, Constitute and Authorize the said Sir *Francis Knolles*, Sir *James Crofts*, Sir *Ralph Sadler*, Sir *Walter Mildmay*, and Sir *Thomas Smith* Knights, to be his Deputies, for and in the ministring of the Oath, to all and singular the Knights of the Shires, Citizens of Cities, Burgeses of Boroughs, and Barons of the Ports, returned and to be returned for that present Parliament, according to the form of the Statute in that behalf then lately made and provided.

And immediately thereupon, the said Lord Steward, and his Deputies, did then and there Minister the said Oath, to all such of the said Knights, Citizens, Burgeses and Barons, as were

then present accordingly. Which done, the Sermon ended, and the Queens Majesty sat in her Royal Seat, in the Upper House of Parliament, the Commons standing at the lower end of the Chamber, the Lord Keeper of the Great Seal of *England*, learnedly and briefly declared the Causes of Calling the said Parliament; and so in the end willed them to repair into their House, and there after their accustomed manner, to chuse of themselves an apt and fit man to be their Speaker, and to present him to the Queens Majesty on the *Wednesday* next following in the Afternoon. Whereupon the said Commons immediately resorted to their Common House, and being there Assembled, the Right Worshipful Mr *Christopher Wray* Esq; , one of the Queens Majesties Serjeants at Law, was by the first motion and nomination of the said Mr Treasurer, with one voice of the said whole House, Chosen to be Speaker, and placed in the Chair, notwithstanding his Allegations of disabling himself, and humble request for their proceeding to a new Election.

On *Wednesday* the 4th day of *April* in the Afternoon, *Christopher Wray* Esquire, one of the Queens Majesties Serjeants at Law, the Speaker Elect of the House of Commons, was presented unto her Highness; who sitting in her Royal Seat, and allowing and affirming the Election, after his Oration made, and ordinary Petitions granted, the said Lord Keeper willed him with the residue to repair to the House of Commons, there to deliberate and consult upon the making of such good and wholesome Laws, as might tend to the advancement of Gods Glory, and preservation and safety of the Queens Majesty, and the Common-Wealth of this Realm of *England*. And thereupon the said Mr Speaker, and the Knights, Citizens and Burgeses of the House of Commons, returned back unto their own House; and being there sat, one Bill (according to the usual Course) had its first reading, which was

The Bill concerning coming to Church, and receiving the Communion.

It was this day finally agreed, upon the Motion of Mr Speaker, that the Letany should be read every day in the House, during this Parliament, as in the last was used; and also a Prayer by Mr Speaker, such as he should think fittest for this time, to be begun every day at half an hour after eight of the Clock in the Morning, and that each one of this House then making default should forfeit every time four pence to the poor Mans Box.

On *Thursday* the 5th day of *April*, *Thomas Clark* and *Anthony Bull* of the Inner-Temple London Gentlemen, were by this House committed to the Serjeants Ward, until further order should be taken with them, for that they presumed to enter into this House, and were no Members of the same, as themselves at the Bar confessed.

This day the House was called, and thereupon *Edward Lewkenor*, *John Bullock*, *Nicholas*

Plumtree, *Edward Goodwyn*, and *John Garnons*, were Commanded to attend the order of this House to Morrow next, for that the House being this day called, they had entred into the House, and had not as then been returned by the Clerk of the Crown, except *Garnons*, whose Case is, for that he is said to be Excommunicate.

On *Friday* the 6th day of *April*, It was Ordered that the Burgeses for *Estringsted*, shall remain according to the return.

This day Mr Treasurer, Mr Serjeant *Mamwood*, *Geffrie* and *Lovelace*, Mr *Fletman*, Mr *Bell*, and Mr *Mounson*, were appointed to confer with Mr Attorney, and Mr Solicitor, about the return of the Burgeses following; for that the same Towns returned no Burgeses the last Parliament, viz.

<i>Cornwall</i>	the Boroughs of { <i>Estow.</i> <i>Fowley.</i>
<i>Gloucestershire</i>	the Borough of <i>Chichester.</i>
<i>Nottinghamshire</i>	the Borough of <i>Eastretford.</i>
<i>Kent</i>	the Borough of <i>Queenborough.</i>
<i>Oxfordshire</i>	the Borough of <i>Woodstock.</i>
<i>Hampshire</i>	the Borough of <i>Christ-Church.</i>
<i>Suffolk</i>	the Boroughs of { <i>Aldburgh.</i> <i>Eye.</i>

And to meet to Morrow in the Afternoon, at three of the Clock in Mr Treasurers Chamber at the Court.

Nota, That these ensuing Speeches are taken out of the before-mentioned Anonymous Journal.

Mr *Strickland*, a grave and ancient Man of Great Zeal, stood up, and made a long Discourse, tending to the remembrance of Gods Goodness, giving unto us the light of his Word, together with the gracious disposition of her Majesty, by whom as by his Instrument, God hath wrought so great, things, and blaming our slackness and carelessness, in not esteeming and following the time and blessing offered; but still as men not sufficiently instructed what is truth, or so that we think it not convenient to publish and profess it openly, and that, all reproachful Speeches of the slanderous might be stopped, the draw-backs brought forward, and the Over-runners, such as over-run, and exceed the rule of the Law, reduced to a certainty, he thought it *Operæ pretium*, to be occupied therein; for which purpose he said, the Professors of the Gospel in other Nations, had writ and published to the World the Confession of their Faith, as did those of *Strasburgh* and *Franckford*, &c. for which purpose also great Learned men in this Realm had travelled, as *Peter Martyr*, *Paulus Fagius*, and others, whose works hereupon were Extant.

And before this time an offer thereof was made in Parliament, that it might be approved; but either the slackness or somewhat else of some men in that time, was the lett thereof, or what else, he said, he would not say. This Book, he said, rested

sted in the Custody of Mr Norton, as he guessed, a man neither ill disposed to Religion, nor a negligent Keeper of such matters of Charge, and thereupon requested that Mr Norton might be required to produce the same; he added also, that after so many Years, as now by Gods Providence we had been learning the purity of Gods truth, we should not permit for any cause of Policy, or other pretence, any errors in matters of Doctrine to continue amongst us. And therefore, said he, although the Book of Common-Prayer is (God be praised) drawn very near to the sincerity of the truth, yet are there some things inserted more superstitious, than in so high matters be tolerable; as namely, in the Administration of the Sacrament of Baptism, the sign of the Cross to be made with some Ceremonies, and such other Errors, all which, he said, might well be changed, without note of chopping or changing of Religion, whereby the Enemies might slander us; it being a Reformation not contrariant, but directly pursuant to our Profession, that is, to have all things brought to the purity of the Primitive Church, and institution of Christ. He spake at large of the abuses of the Church of *England*, and of the Churchmen; as first, that known Papists are admitted to have Ecclesiastical Government, and great Livings; that Godly, honest and Learned Protestants, have little or nothing; That Boyes are dispensed with to have spiritual Promotions; That by Friendship with the Master of the Faculties, either unable men are qualified, or some one man allowed to have too many several Livings; Finally, he concluded with Petition, that by Authority of the House, some convenient number of them might be assigned, to have Conference with the Lords of the Spirituality, for consideration and reformation of the matters by him remembred. *Vide Apr. 26. Tuesday postea.*

Mr Norton, a man wise, bold and Eloquent, stood up next, and said, he was not ignorant, but had long since learned what it was to speak on a sudden, or first, before other men in Parliament. Yet being occasioned by Mr Strickland, he said, that truth it was, he had a Book tending to the same effect; but (quoth he) the Book was not drawn by those whom he named, but by vertue of the Act of 32. at the assignation, or by the Advice of eight Bishops, eight Divines, eight Civilians, and eight temporal Lawyers, who having in Charge, to make Ecclesiastical Constitutions, took in hand the same; which was drawn by that Learned man, Mr Doctor Haddon, and penned by that Learned Man Mr Cheeke; whereupon he said, that consideration had been, and some travel bestowed by Mr Fox of late, and that there was a Book newly Printed, to be offered to that House; which he did then and there, presently shew forth. And for the rest of Mr Stricklands Motions, he said he was of his mind, chiefly for the avoiding and suppressing of Simoniackal Ingrossments.

Whereupon were appointed for that purpose

for redress of sundry defections in those matters, these following; viz. All the Privy-Council being Members of this House, Sir Henry Nevill, Sir Thomas Thinne, Sir Thomas Lucy, Sir Henry Gate, the Master of the Requests, Mr Heneage, Mr Recorder, Mr Bell, Mr Henry Knolles Sen., Mr Mounson, Mr Norton, Mr Strickland, Mr Godier, Mr William More, and Mr Doctor Berkley.

These names being thus transcribed out of the Original Journal-Book of the House of Commons, as were those two foregoing Speeches of Mr Strickland, and Mr Norton, out of that before-cited Anonymous Journal of the same House, more particularly mentioned at the beginning of this present Journal, now follow other passages of this day out of the same.

The Bill concerning coming to the Church, and receiving the Communion, was read the second time; and thereupon Sir Thomas Smith speaking for the maintenance thereof, argued; and in part wished the Bishops to have consideration thereof.

After whom Mr Fleetwood moved, that the penalty of that Statute should not go to Promoters, and said it was a device but of late brought in, in the time of King Henry the Eighth, the first year of his Reign, and shewed the Evils and inconveniences that did grow by these mens doings; wherein no reformation was sought, but private gain to the most of men. He said also, that matter of going to the Church, or for the service of God, did directly appertain to that Court; and that we all have as well learned this Lesson, that there is a God, who is to be served, as have the Bishops. And thereupon he undertook to prove by the old Laws, vouched from King Edgar, that the Princes in their Parliaments have made Ecclesiastical Constitutions: as these; That if any Servant shall work upon the Sabbath day by the Commandment of his Master, he should be free; if of himself, he should be whipped; if a Freeman should work, he should be bound, or grievously amerced. Then he concluded upon request, that it might be committed to some of the House, without the Bishops, who perhaps would be slow.

Sir Owen Hopton moved very orderly, that the Presentation of such defaults should not only depend upon the relation of the Church-Wardens, who being for the most part simple, and mean men, and fearing to offend, would rather incur danger of Perjury, than displease some of their Neighbours; he shewed for proof, Experience.

It may be gathered by these foregoing Speeches transcribed out of that Anonymous Journal, more particularly mentioned at the beginning of this present Journal, that Mr Fleetwood moved to have this Bill referred to Committees; but their names being there omitted, are therefore wholly transcribed out of the Original Journal-Book of the House of Commons, in manner and form following; viz.

Sir Thomas Smith, Sir Owen Hopton, Sir Thomas Scot,

Scot, the Masters of the Requests, Mr Serjeant Manwood, Mr Serjeant Geoffry, Mr Fleetwood and Mr Sands, who were appointed to meet in the Star-Chamber, at two of the Clock in the Afternoon.

The Bill for preservation of Woods, was read the first time.

On Saturday the 7th day of April, the Bill concerning Religion was read, and the first of the said Bills was delivered to the Commissioners, and the residue read, and appointed to remain in the House, and this not to stand for any reading. *Vide* what Bills these were, on Tuesday May the 1st ensuing.

It should seem that the first of these Bills here mentioned, is that which is stiled the Bill A, and the other Bills those which were then also offered to the House, and thereupon referred to certain select Committees, to be considered of, before they were suffered to be read in the House; which being admitted of this day, was not allowed by the House for any reading, but only, as may very well be gathered, for the said House it self to consider of them, before they were further entertained.

But there can be no absolute certainty set down hereof, in respect that through the negligence of *Fulk Onslow* Esq; at this time Clerk of the House of Commons, it is so confusedly or briefly set down; although in the general it is very probable, that this proceeding in Ecclesiastical matters with so much caution and deliberation, was because they desired to give no occasion of distaste to her Majesty: who ever, for the most part, shewed her self very averse to their intermeddling with any thing concerning Church matters. Now follow other of this days passages, out of the before-cited Anonymous Journal, more particularly mentioned at the beginning of this present Journal; but it is fully discovered what these Bills were, on May the 17th Thursday ensuing.

Mr Strickland first moved, that Mr Norton might be required to deliver such Books, as he had. Mr Newdigate moved, that where one of the causes for the Calling of the Parliament, and perhaps the chiefest, was for a Subsidy, he thought it not amiss to make offer of a Subsidy, before it should be required, which Speech was not liked of by the House.

Sir Francis Knolles made a long needless discourse concerning the Subsidy.

Mr Bell said, that a Subsidy was by every good Subject to be yielded unto; but for that the People were galled by two means, it would hardly be levied; namely, by Licences and the abuse of Promoters; for which, if remedy were provided, then would the Subsidy be paid willingly; which he proved, for that by Licences a few only were enriched, and the multitude impoverished; and added, that if a burden should be laid on the back of the Commons, and no redress of the common evils, then there might happily ensue, that they would lay down the

burden in the midst of the way, and turn to the contrary of their Duty.

Mr Popham affirmed Mr Bells Speech, and added to the former abuses, that of the Treasurers of the Crown; who having in their hands great Masses of Money, with the which either they themselves, or some Friends of theirs, do purchase Lands to their own use, and after become Bankrupts, and so cause or practise an enstallment of their Debts, as of late some one hath installed a Debt of thirty thousand pounds: which occasioned the lack in the Princes Coffers.

Mr Serjeant Lovelace argued, that every Loyal Subject ought to yield to the relief of the Prince, and that without any condition or limitation; notwithstanding he did not dislike of the former motions; and thought it very requisite, that these evils might be provided for, to the ends aforesaid; unto the which he added three abuses more; first, the abuse of Purveyors, wherein he had to desire the Council, and the Masters of the Household, to consider of it, and to be willing to yield to Reformation; and, in his Opinion, it should not be amiss to take away the Purveyors, and to limit every Country to a proportionable rate; so should her Majesty be better served, and the Kingdom eased. Secondly, The Reformation of the Exchequer, for the Charge which groweth by respite of Homage; which he wished might be paid on some other sort, in a sum certain. Thirdly, Another Reformation which is upon a great abuse in the Exchequer, by sending out upon every Fine levied, the Writ *Quo titulo ingressus est*.

Mr Comptroller in few words said, that he being one of the Masters of the Household, would do his endeavour for Reformation of all things arising by the Purveyors.

Mr Sampsoole sometimes of *Lincolns-Inn*, liked well of the Motion of the Subsidy, and commended the Motions of the Gentlemen before; affirming, that they were very necessary to be thought of; unto which he was to add one more; *viz.* the abuse of Collectors. He shewed, that they do retain their Charge sometimes a Year, sometimes more in their own hands. And for that they are but mean men, appointed to that Office, they oft times convert it to their own uses, and are perhaps never able to satisfy the same; whereby the people are unwilling to pay; for if they should understand her Majesty should have it presently, they would more willingly pay it; and therefore wished the better sort of every Country should be assigned to that charge.

Mr Goodier said, that every man ought to yield to the Subsidy, and rather offer it, than to stay till it should be demanded; desiring, that the Subsidy might presently, and only go forward, without the hearing of any more complaints: for that they might be Infinite, and already more were remembred, than in one Parliament could be reformed. Wherein he shewed a great desire he had to win favour.

In the conclusion of these aforesaid Speeches, transcribed out of that often before-cited Anonymous Journal, more particularly mentioned at the beginning of this present Journal; it should seem that a Committee was appointed to consider of the proportion, and time of yielding some relief unto her Majesty; whose names being set down in the Original Journal-Book of the House of Commons, are thence transcribed at large in manner and form following.

All the Privy-Council Members of this House, the Master of the Rolls, Sir John White, Sir William Dormer, Sir Christopher Heydon, Mr Heneage, Sir Robert Lane, Sir Henry Norrice, Sir George Blunt, Sir Henry Weston, Sir George Bowes, Sir William Pawlet, Mr Edgecomb, Mr Edward Stanhop, Mr John Mersh, Mr Robert Newdigate, Mr Serjeant Lovelace, Mr Saintpool, Mr Thomas Snagge, Mr Hall, Mr Hasset, Mr Grasior, Mr Sands, Mr Alford, Mr Bassett, Mr Warncomb, Mr George Forrers, Mr Amise Pawlet, Mr Hatfield, Mr Greithfield, Mr Bounton, Mr Bellingham, to meet in the Star-Chamber on Monday next, at two of the Clock in the Afternoon.

At the same time also another Committee was nominated, to consider of those griefs and Petitions, which had been touched and mentioned in the former dispute; whose names being likewise found in the aforesaid Original Journal-Book of the House of Commons, are thence transcribed in manner and form following.

For Motions of Griefs and Petitions were appointed Sir Owen Hopton, Sir Thomas Scot, Sir William Buts, Mr Manwood, Mr Bell, Mr Popham, Mr Fleetwood, Mr Mounson, Mr Mohun, Mr Grimston, Mr Mersh and Mr Winchcomb, to meet in the Temple Church on Monday next, at two of the Clock in the Afternoon.

Upon a Motion by the Committees for matters of Religion (whose names see on Friday the 6th day of this instant April foregoing) It was Ordered, that Mr Grimston and Mr Strickland should move the Lords of the Clergy, to know their pleasure concerning the motions, to be to them made to Morrow in the Afternoon, in matters of Religion. *Vide Apr. 26. postea & Maii 17.*

Mr Mounson brought report, that Mr Attorney General prayed, that meeting may be made to Morrow in the Afternoon, at Mr Treasurers Chamber, for Conference touching the validity of Burgeses.

April the 8th Sunday.

On Monday the 9th day of April, report was made of the validity of Burgeses, and Ordered by Mr Attorneys Assent, that the Burgeses shall remain according to the returns; for that the validity of the Charters of their Towns, is elsewhere to be Examined, if cause be.

The Bill concerning coming to the Church, and receiving of the Communion, was brought in again by Sir Thomas Smith, one of the said Committees.

The names of the Committees for the Subsidy, and for Motions and Petitions (which see on

Saturday immediately foregoing) were read again, and they appointed to keep their former hour of meeting.

For that Sir Henry Perry Knight, being returned Knight for the Shire of Cumberland, and likewise of Northumberland, hath chosen to appear for Northumberland; it was Ordered, that a new Writ shall go out to chuse another Knight for Cumberland.

The Bill touching certain Offences to be made Treasons, was read the first time.

Mr Norton Exhibited an Addition, which was received by the House; and after sundry Arguments, and some Motions touching the severance or uniting of the Bills, it was Ordered, that the Bill be read again upon Thursday next.

The Bill concerning coming to Church, and receiving of the Communion, was read the first time.

Sir John St Leger, moved the House for his Mans Priviledge, and it was committed to Mr Recorder, Mr Bedoll, and Mr Dalton, and they to meet this Afternoon at Mr Recorders, and make report to Morrow.

On Tuesday the 10th day of April, Mr Speaker recited a Commandment from the Queens Majesty, to spend little time in Motions, and to avoid long Speeches. The reason whereof being omitted in the Original Journal-Book of the House of Commons, it is therefore supplied out of that often before-cited elaborate Journal, more particularly mentioned at the beginning of this present Journal, in manner and form following.

That this Advertisement grew of somewhat spoken by Mr Bell the 7th day of this instant April, concerning Licences granted by her Majesty, to do certain matters contrary to the Statutes, wherein he seemed (as was said) to speak against her Prerogative: but surely so orderly did he utter what he spake, as those who were touched might be angry; but justly to blame him might not be.

This Advertisement being thus transcribed out of the aforesaid Anonymous Journal, now follows the residue of this days passages out of the Original Journal-Book of the House of Commons it self, in form following.

Sir Owen Hopton moved for the Commission of Motions and Petitions, to have the Council added unto them, and also a greater number of others; and delivered a Paper of Notes of the Motions made.

Upon a Motion made for Mr Garnons, who is reported to stand Excommunicate, it is Ordered, that he shall Answer it in the House.

Six Bills of no great moment, had each of them one reading; of which the last being the Bill touching Monasteries, was read the first time.

Mr Treasurer made report of the Committees doings for the Subsidy, whose names see on Saturday the 7th day of this instant April foregoing, and brought in Articles, which were well liked, and thereupon the same Commissioners were appointed

pointed to proceed with the drawing of the Book.

Two Bills also had each of them their first reading, of which the first was the Bill for the validity of Burgeſſes not reſiant.

Touching matters of Religion, Mr *Mounſon* brought report, that the Biſhops pray to have the Lords moved by this Houſe, to aſſign a Committee to confer with this Houſe. And thereupon it was Ordered preſently, that the ſame Commiſſioners do immediately go to the Lords, with this Meſſage, to know their pleaſure for appointing ſome to confer about the Book for Doctrine.

Mr *Treaſurer* returned report, that the Lord Keeper hath Answered, he will open it to the Lords.

Four Bills of no great moment, had each of them one reading; of which the ſecond being the Bill for Cloth-workers, was read the firſt time: And the third being the Bill B. had its firſt reading. *Vide Maii 17. poſtea*, what Bill B. meaneth.

Sir *Richard Read* and Mr *Doctor Tale*, did bring an Answer to the Meſſage; *viz.* that the Lords have appointed twenty of themſelves, whereof ten of the Clergy, and ten of the Temporality, to meet at two of the Clock this Afternoon, in the Star-Chamber. And thereupon were added by the Houſe to the former Commiſſioners, the Maſter of the Rolls, Sir *Henry Norrice*, Sir *William Butts*, Mr *Auſtley*, Mr *Serjeant Manwood*, Mr *Stooks*, Mr *Fleetwood*, Mr *Carleton*, Mr *Eglenby*, Mr *Yelverton*, Mr *Dalton*, and Mr *Robert Snagg*, which meeting was about matters of Religion. *Vide abunde Maii 17. poſtea*.

On *Wednesday* the 11th day of *April*, the Bill for *Leſtwithiell* was read the firſt time.

Mr *Fleetwood* brought in a Bill againſt Rogues.

The Bill againſt fraudulent Gifts and Conveyances, was read the ſecond time, and was delivered to certain of the Houſe to amend preſently, upon a Motion made by Mr *Dalton* to have it to extend to the defrauding of Heriots.

Three Bills of no great moment, had each of them one reading; of which the ſecond being the Bill for Sewers, was read the ſecond time, and Ordered to be ingroſſed. And the Bill D. had its firſt reading. *Vide Maii 17. poſt.* what Bill D. meaneth.

Mr *Seckford* Maſter of the Requeſts, prayed longer time to conſider of the Bill of fraudulent Gifts and Conveyances; and that the Committees may be Sir *John White*, Mr *Seckford* Maſter of the Requeſts, Mr *Serjeant Manwood*, *Geoffry Loveland*, Mr *Mounſon*, Mr *Bell*, Mr *Fleetwood*, Mr *Thomas Snagg*, Mr *Barber*, and Mr *Dalton*, to meet to Morrow in the Afternoon in the Temple Church.

The Bill for not returning perſons of the Queens Majeſties Houſhold on Juries, was read the firſt time.

The Bill for *Briſtol* was read the ſecond time, and Ordered to be ingroſſed. Whereupon followed divers long Speeches and Arguments touching the ſame Bill; which being omitted in the Original Journal-Book of the Houſe of Commons, are here ſupplied out of that often before-cited Anonymous Journal of the ſame Houſe, more particularly mentioned at the beginning of this preſent Journal; in manner and form following; *viz.*

Mr *Comptroller* firſt moved, that before ſome Committees were appointed, both parties might be heard, and the Controverſy appeaſed.

Mr *Fleetwood* argued, that there might appear raſhneſs or indiſcretion in them, who ſhould now reverſe what of late they had done; but leaving to ſpeak thereof, he entred into a good Diſcourſe of the Prerogative, which might thereby be touched, if they ſhould endeavour to overthrow her Majeſties Letters Patents, to whom by Law there is power given to Incorporate any Town, and ſhe is Sworn to preſerve her Prerogative; he vouched the Clerk of the Parliaments Book to be, that no man might talk of the Statute of Wills, &c. but that the King firſt gave Licence; for that his Prerogative in the Wards was hereby touched. He ſhewed likewiſe the Statute of *Ed. 1. Ed. 3. and H. 4.* with a ſaving of the Prerogative. In King *Edward* the Sixths time Licence was ſued for to the Lord Protector, to talk of matters of Prerogative, he remembered the Book of 2 *Edm. 6.* for the Parliament of *Ireland*, called by the Chief Judge, as is for him lawful; where it was queſtioned, what by Parliament might be done; whether they might depart with any of the Kings Towns, Forts or Piers; it was agreed they might not, and ſo he concluded, that to talk thereof (for as much as her Majeſties Letters Patents, and Prerogative were touched) *Rege non conſulto*, was perillous. He alſo made mention of the Statute, which authorizeth all Merchants to Traffick by Sea, *Niſi publice prohibentur*; he ſaith, others were prohibited.

Mr *Young* of *Briſtol*, in the behalf of the Commons, reaſoned to this effect; Firſt, Shewed the loſs to the Queen of her Cuſtom, then the private Monopoly wrought and occaſioned by the Merchants, the Controverſies which have enſued by this means amongſt them, and the ſubtile means whereby the Statute was procured, without the conſent of the Major or Commons, by ſuch as were put in Truſt.

Mr *Alford* ſaid, that he might not ſpeak of the Prerogative aptly, for that he was not Learned in the Law; but made ſome remembrance of what he had there ſeen, concerning the Act of Parliament for *Southampton*; where it appeareth, that without an Act of Parliament, her Majeſties Letters Patents were not ſufficient; and therefore he prayed convenient conſideration might be, and that the ſame (if it ſhould ſo ſeem good to the Houſe) might be conjoined to the former and other Bill, &c.

Then ſpake Mr *Cleere*, Sir *Francis Knolles*,
Sir

Sir Nicholas Arnold, Sir Henry Norris, and Mr Christopher Yelverton of Grays-Inn, severally to the said Bill: whose Speeches being somewhat imperfectly and uncertainly set down in the before-mentioned Anonymous Journal, are therefore omitted; although from them, and the residue foregoing, the effect of this Bill may be Collected to have been for the Dissolution of certain Companies of Merchants in Bristol, whom her Majesty had Incorporated by her Letters Patents, and authorized them to Trade to certain places, by which it was pretended that the publick and free trading of others was restrained; and at last upon the Motion of Mr Fleetwood, That the Bill being of great weight, might be further considered of by the House, and the Committees be appointed at some other time, it was thereupon Ordered, that they should be appointed on the day following, which was done accordingly.

Then was read the Bill for coming to Service, but what reading it was appeareth not by the aforesaid Anonymous Journal, nor by the Original Journal Book it self, in which this said Bill is not at all mentioned: but it should seem that it was the second reading, because divers Speeches ensued thereupon; which in respect that they concern a matter of so great moment, are therefore transcribed out of the Anonymous Journal, in manner and form following.

Mr Snagg shewed at large the inconveniencies of the old Law, for coming to Service: for, said he, by the former Law it was Enacted, that the Service shall not be said, or Sacrament ministered, in other sort than in the Book of Common-Prayer is prescribed; he shewed, how differently the same was used in many places, from the prescribed Rule; as where no part of those Prayers were observed, but a Sermon, and some such other Prayers only as the Minister shall think good, in place thereof; whereupon have great divisions, discords and dislikes grown amongst and between great numbers. And since it is Law, that in this sort Service shall be used, and that whosoever shall be at any other form of Service, shall incur the penalty prescribed, and that the Ministers neither do, nor will do herein, as they should, and as is by the Law prescribed and commanded; he thought the proceedings in this kind, should occasion a *Dilemma* in mischief; for by this Law, if he come not, he shall lose twelve pence; and if he come and be present, and the Service be not said according to the prescribed Rule of the Book, he shall lose a hundred Marks.

Mr Aglionby Burgeis of the Town of Warwick, moved the Law might be without exception or privilege for any Gentlemen in their private Oratories; this did he prove to be fit out of Plato his Laws, and Cicero, both prescribing for the observation of the Law an equality between the Prince and the poor Man, not giving scope to the one above the other. Also he remembered

the Authority of *Lactantius Firmianus*, making this only difference betwixt Man and Beast, that all men do know and acknowledge that there is a God, and in this respect there should be no difference between Man and Man. Withall, he said, the more noble the Man, the more good his Example may do. He therefore concluded, that for so much of the Law, so the same might be general, he was of good liking that it should pass.

But for the other matter, concerning the receiving of the Communion, he argued, that it was not convenient to enforce Consciences. And to that purpose, he shewed the Authority of Dr^s; which he vouched without quoting the place, or sentence. He said also, that it was the Opinion of Fathers, and Learned Men of this Land; and therefore wished they might be consulted with. Finally, he concluded, that *bonæ Leges à malis moribus proveniunt*: but no good Laws may make a good man fit to receive that great Ministry of God above. This whole Speech he tempered with such discretion, as in such Case was seemly. And whatsoever he spake, he spake the same under Correction.

Mr Strickland standing up, first prayed he might be excused, for that he was to speak on a sudden and unprovided. For the first, He approved what Mr Aglionby had said: For the second, he said, he could not be of that mind; and he vouched out of *Esdra*s, that the Church, yea the Consciences of men, were by the Prophet restrained; withal he said, Conscience might be free, but not to disturb the common quiet. He shewed the practice and doings of the Pope, the banishment of the *Arrians*, &c. That the word of the Prince, for lack of Law, must not be tied. The *Israelites*, he said, were constrained to eat the Pass-over. And finally he concluded, that it was no straitning of their Consciences, but a Charge or loss of their Goods, if they could not vouchsafe to be, as they should be, good men and true Christians.

Mr Dalton reasoned to this effect, that there could ensue no inconvenience by those two Laws, which were intended to be contrary; his reason was, except the Service be according to the Law, no man is bound to stay there, no more, than if he be bound to come and hear Service, if there be no Service, he is to forfeit his Bond.

For Answer to Mr Aglionby he said, the matters of Conscience did not concern the Law-makers, neither were they to regard the error, curiosity, or stiff-neckedness of the evil, ignorant or froward persons. For be it they did proceed orderly to the discharge of their own Consciences, in making the Law, let them care for the rest whom it behoveth. He was of mind that Gentlemen should not be excepted, for the causes aforesaid; but he wished provision might be made for such as be imprisoned, or cannot come for fear of Arrests. He wished also, that the Law might have continuance but till the end of the next Parliament.

These foregoing Speeches being thus transcribed out of that often before-cited Anonymous Journal, more particularly mentioned at the beginning of this present Journal, and two other Speeches of Mr *Fleetwood*, and Mr *Popham*, of no great moment, being omitted; now follows some part of the next days passages out of the Original Journal-Book of the House of Commons.

On *Thursday* the 12th day of *April*, Mr Comptroller, upon a Motion made by himself, that the Bill touching *Bristol* might be proceeded in, was appointed a Committee in the same, and with him were nominated Sir *Nicholas Points*, Sir *Nicholas Arnold*, Sir *John White*, Mr *Newton*, Mr. *John Younge*, Mr. *Popham*, Mr. *Fleetwood*, Mr. *Norton*, Mr. *Alford*, Mr. *Hall of York*, and Mr. *Hooker*, to whom the hearing of both parties touching the said Bill, was referred; and thereupon to make report thereof to the House, and to meet in the Star-Chamber, on *Monday* next at three of the Clock in the Afternoon. *Vide in die præcedente* concerning this business.

It is Ordered, that the House do sit to Morrow till ten of the Clock, and then to go to the Court to hear the Sermon.

Two Bills of no great moment, had each of them one reading; of which the second touching certain offences to be made Treasons, was read the second time.

The Addition to the same Bill was read the first time.

After the reading of which said Bill, and Addition as aforesaid, sundry Motions and Arguments ensued; which being omitted in the Original Journal-Book of the House of Commons, are therefore supplied out of that often before-cited Anonymous Journal, in manner and form following.

Mr. *Goodier* with some shew of former Care for that Cause, entred into the utterance of a long Speech, and spake to this effect: First, He made a solemn Protestation of his sincerity, truth and Loyalty to her Majesty, to the State, and to the House. Then he shewed many singular and true blessings, which we have by her Highness means, and religiously prayed for her preservation; but his whole discourse stood upon these three points, what he thought of the persons there Assembled, what he disliked in the matter of the Bill propounded, and why he did so.

Of the persons, he said, he heartily believed the whole Company in truth and true meaning to have a care and hearty well-wishing for her Majesties safety, acknowledging and reposing in her the very Anchor of our Safety; but whether all were with a sincere meaning to the state of the Crown, he knew not; but rather thought the clean contrary: but yet of the most and most honourable he thought nothing amiss, but some surely, he said, were doubly disposed, and with a favourable affection bent for some special body.

For the substance of the first Bill, he said he was of clear mind, well liking and approving the whole course thereof; except, quoth he, that the same be not already by former Laws provided for; and hereunto he further added, that if any man should say, that the Papists do not err in saying or speaking so slanderously of her Majesty; the same to be taken also as Treason. For the Additions which concerned the first, which did clearly respect the time past, as to make Treason of a fault already committed, which at the time of the perpetrating of the same offence, was not in the same Degree; it was a President most perilous, which might occasion such and so great Evils, as easily might not be conceived. Of present time, mans wisdom might judge; Future time mans Policy may reach to: but to call again the time past, or to raise what is dead in any kind, Man may not; nor in reason is it to be presumed. The like he said had not been seen; and where he hath read thousands of Laws, yet did he never find such a President. An extremity, rare, and never practised, no not in these the greatest matters of Faith and Religion, that we do now so earnestly treat of.

The Enemy to God and our State (the Papists, I mean) is most hateful. Yet is no man so hardly bent, as to have them punished, much less to suffer Death, for what is past. Whether her Majesty hath pardoned what is past, we do not know, and whether her Highness pleasure be that it should be talked of, no man yet hath made a report. Withal, it may happily occasion dislike between her Majesty and the House, which were odious and hateful; but doubtless, he prophesied, it would occasion peril, such and so great, that the greatest Speakers therein, yea those who should give them most or best words, could give no Warranties. Neither is it that the sequel thereof may be warranted for the right of a Crown, which words may not be strained or straitened.

Thus much considered, and the Prince being herein not as yet determined, he therefore advised, and more than so by words of vehemency urged stay. He farther said, that the penning of the first Article of the Additions was clouded and involved with secret understandings, not to be understood but by such as more curiously could, and more cunningly would, look thereinto than he. For matters of Title of the Crown, he said, he neither knew any, nor durst to intermeddle or take knowledge of any; and concluding, he said, that for obscurity of the sense, he must needs condemn the same, since that *Veritas est nuda, simplex & plana*.

Sir *Thomas Smith* her Majesties Principal Secretary, neither condemning nor approving of what had before been spoken by Mr *Goodier*, made motion, that the Bill might be divided, lest the one might be the hindrance of the other.

Mr *Norton* in his accustomed manner of natural

ral Eloquence; first shewed that that Assembly should be free of Speech, so that the same did not exceed the Bounds of Loyalty; and as in Speech free, so ought it also to be free of unjust flanders, and undeserved reproaches. For so much as might concern him, he protested that he neither thought, nor meant any other title than the sole preservation of her Majesty, and to this end was he and the whole House (as he supposed) settled and bent; she being of this Realm, not only in respect of our goods and lives the singular stay, but for Truth and Religion, yea of all Christendom not *Magna*, but in all the world *Speciosa*. And since that Consultation is no other than *Consultare in Commune*, he was as well to remove the surmise of Ambiguity, as the slander raised of any doubleness in him; the words (quoth he) are plain, these and no other; that whatsoever person during the life of her Majesty, hath or shall imagine, intend or go about, the deposing, &c. them and their Heirs to be barred of any title.

And, saith he, where Ambition hath once entred, such is the nature of the same, that never it will be satisfied: and the thirst for a Kingdom is unquenchable. Withal in common Experience we see, that between two, for a small matter in Suit, when it shall pass against the one, though by perfect Tryal, yet will he who loseth never acknowledge that he had either offered, or defended an injury. He said, for working of great matters great time is required; and such a mischief, as to overthrow a Crown is not in a day compassed; and therefore what hereafter is thought, or meant to be Executed, is already begun, compassed and devised. Time must therefore be taken, and therefore in time, and at all times it is to be prevented.

Where it is said, the like hath not been seen, and a Miracle made of it, as if there were never former Presidents ever seen of the like, or ever heard of before. It is no longer since than in Queen *Maries* time, when to the Parliament it was suggested, that the Congregations in the City of *London* Assembled, did use this kind of Prayer to God, either to convert her, or confound her. Whereupon it was Enacted, that every person who so, and in such sort, had prayed, or who so after should pray, should be taken for a Traytor. The Case of *Bennet Smith* is not so strange, nor so long since, but it may be remembered; his transgression was not such, nor so to be adjudged at the time of the offence perpetrated, as it was afterwards; yet by Authority of Parliament the offence precedent was from the old nature altered, and he, who before at the time of the offence, until the making of the Law, was not to be privileged but by his Clergy, was now by an Act made after, by Judgment Executed. And since in the Case of a private man, as was this of *Bennet Smith*, such consideration, and such good discretion was used, who can imagine it to be odious? Nay, who is it, that would not the like

or greater care to be had of a Prince, and especially of so good and virtuous a Prince, as she, for whom our Conference is now? But yet we are charged with partial affection, unsettled minds, and doubleness. Whether this Speech now be an offence to the House, he earnestly craved the Judgment of the House. For that it might seem by the Gentlemans earnestness who spake, that some one his Friend, whom he was bent to serve, would be touched. Whereupon, for his own part he eft-soons protested, he had no certain resolution with himself of any title, but was to be satisfied with the consent of that Assembly; howsoever adding further, if his Motions might so sort, as they were liked, he offered this Proviso to be added; That if any such person, who had made any such claim, shall disclaim and renounce all Title during her Highness Life, the same person, &c. to be then restored to the old Estate.

Mr Comptroller after some Declaration of grief, perceiving the matter grow to heat, as verily the greatest number of the House were more than moved with the vehemency of Mr *Goodiers* Speech, and that men were disposed to talk at large of matters contrary or repugnant to the Bill, moved that it might be severed; because the first part came in, and was exhibited to that House by her Majesties Learned Council; the other was but the advice of a private man, which advice, though it justly deserved Commendation, yet was it not, in his fancy, to be joined with that which came in other sort.

Mr *Snagg* argued to this effect, that in making of Laws, plainness of Speech should be used, all intrapments to be shunned and avoided. And here he moved, why the Statute of *Edw. 3.* whereby it is Enacted, that all such, who shall endeavour, compass or imagine the Death of the King, &c. should be Traytors, &c. should not be said sufficient, reaching as far, and comprehending as much, as this latter advice. For the regard of the time past, he said, he could have no good liking thereof, and what was practised in Queen *Maries* time (under Correction) he took to be no Charitable President; concerning the Authority of the Parliament, he did conclude nothing, but said it was a prevention.

Sir *Francis Knolles* shewed, that he could not utterly dislike the conjoining of the Additions, sith that they rise all of one ground, and that they both are good and charitable; whereof he acknowledged her Highness to have Intelligence, and the cause already to have been in Conference by her Council. And for the word (*hath*) he saith it contained no such absurdity, but with good zeal it might be maintained. And therefore such vehemency and sharpness of Speech, he said was more than requisite, yea more than convenient. And as for the obscurity, he said of men that would mean well, it could not be misconstrued; and to stay or prevent devices past, he thought it but honest Policy, which being otherwise used in a Princes case, is not to be disliked.

He remembered her Highness unwillingness to punish such offences, and therefore though the Law be sharp, yet such is her Mildness, that if any have offended for so much as may concern her person, surely he thought it would not be Executed; and her Clemency tempered with Authority, could never grow to Cruelty, wherein what his Conscience was, he thought not fit to make further shew thereof; but simply and plainly he would deal herein, not meaning to treat in such sort, as if he thought to deserve thanks, or any thing of her Majesty; for what he did, he did it also as mindful of his own safety.

Another then spake (whose name is not expressed in the aforesaid Anonymous Journal) shewing the weight of the matter, which was then in hand, to rest as well on the general safety of the Subjects, as on the preservation of her Majesties Person, and therefore he could not but approve the effect of the whole, both in Bill and Addition; albeit for the pains in the Bill he was somewhat variant from that which was there offered, and in the understanding of some words he was doubtful; as for the word *compassing*, he made some question; of this (*bodily hurt*) he had no perfect Intelligence, since the hurt of body may grow by grief of mind, and grief of mind perhaps by small cause. He also said, that saving in the Statute of 27 H. 8. he hath not read it. But further, he said, that he that would not allow her for lawful Queen, in his conceit should also be called a Traitor; but for the speaking of those most slanderous words of Heretick, Infidel, Schismatick, he would not any man to be for the first offence taken as a Traytor; for that the not acknowledging of the Supremacy, being a far greater offence, is but the pain of *Premunire*. And therefore, except the same offence also might be made Treason, he could not like thereof. But if it should so seem to them good, that it should be as he indeed wished, then was he well pleased to put them both to one Predicament.

And for the word *Heretick*, he said, that the Papists all, of force must be forced to say, her Majesty is one; or that they themselves must be content to carry the name, and to be noted *Nomine*, as they are *re & veritate* Hereticks, which name they willingly will not bear. He further said, that with the rest of those words of slander, he thought it might do well to insert the name Papist. That if any man should say her Majesty to be an Infidel, Papist, or Heretick, &c. to be a Traytor; for that some say, there are in these days that do not spare to say, her Majesty is of another Religion, than is published; and that it is the sole doing of the Councillors, whereby the Doctrine (in sort as it is) is thus published, and not hers. He also added, that his wish was, that no man might be attainted of these words, except the Speech or Publication might be testified by two Witnesses. For the Additions, he said, assuredly they might not be severed from the first Bill, not only as they are matters

material depending on the first, but stretching so far to the maintenance of the first, that without them the first may seem to be nothing. For (said he) there can be no remedy provided, except the cause of the grief be known, and the same cause removed; wherein the Rebels of the North gave clear Experiment: for doubtless, when they pretended Reformation of Religion, they thought to rend up the ground, and to subvert the stay thereof, which was her Majesties Person; and by them he wished us to learn at last, and to wax wiser. He said, the Court of Chancery will straitly Decree for saving and quiet keeping of a quiet possession, often looking to ordering things before past, and shall not the Court of Parliament do the like for the Title of the Crown? And the ancient Laws of the Realm (he said) do maintain the same, as long before the 35 H. 8. the Stat. 5 E. 3. in such like Cases hath ordained, that the Heir for the Fathers offence shall be punished: *consule locum citatum*.

Mr Mounson said, it were horrible to say, that the Parliament hath not Authority to determine of the Crown; for then would ensue, not only the annihilating of the Statute 35 H. 8. but that the Statute made in the first year of her Majesties Reign, of Recognition, should also be laid void; a matter containing a greater consequent, than is convenient to be uttered.

Mr Heneage moved the House to this effect, that either the Bill for Addition should be severed, or both to be referred to the Queens Learned Council, to consider of the conveniency thereof; and then by them to be exhibited, &c. but of his Opinion he yielded no further reason.

Mr Long a young Gentleman, would have proved the word (*have*) and a regard of the time past, not to be amiss, for that at the time of the offence the malice of the Offendor was as great, as it is at this present.

Mr Fleetwood endeavoured to prove the overcharging of the Bill with larger words than were convenient, and more Proviso'es than were to the purpose, to have been the overthrow of that which was truly meant; wherein the cunning Adversary, when he knoweth not how to subvert directly, will by this means easily and subtilly insert more, pretending a face of more forwardness than the rest, when indeed his heart is bent to the hindrance of the whole. For proof and experience hereof, he remembered the cunning Prelats in Henry the Fourths time, and afterwards in Edward the Fourths time, when King Edward required the suppressing of all such Abbies, as King H. 6. had Erected; To hinder this, contrary to the Kings meaning, some would needs add the Colledges in Cambridge, which by him were also Founded; to which when by no means the House could be induced, as well the intent of the first, as of the last, was subverted.

The like he remembered also of the second year of H. 7. in matter of Treason, which all men

men would have yielded unto, the Counterfeit Friend heaped in, to give the King free Liberty of Restitution to whom he would, of all both goods and possessions, whereof the inconvenience being seen, stay was made of the whole. So that, what men may not do directly, with face of further Friendship they do covertly. He concluded therefore, it were well and most safe, to make two Bills, and to be referred to the Queens Learned Council, as Mr *Heneage* had well divided.

Mr Serjeant *Manwood*, first Answering the meaning of the words (*bodily hurt*) said, it must be intended when violence or force is done or offered to the Body, and not otherwise, nor elsewhere. And whether the words of slander should be Treason, he thought that there was great reason they should be; for (quoth he) who so shall affirm her Highness to be an Heretick, doth doubtless with her the pains of an Heretick, viz. to be burnt, &c. He further would have to be added to these words of the Bill, That who so shall imagine, go about, claim, &c. thus much more, that whosoever shall affirm himself to have Title, &c. to be a Traytor. He was of further Opinion, that it should be no clogging to the Bill, to have matter of the same nature added; being also provided for the same purpose, as good, consequent and necessarily concurring with the effect of the Bill. And for the Authority of the Parliament, he said it could not in reasonable construction be otherwise, for who so should deny that Authority, doth deny the Queen to be Queen, and the Realm to be a Realm.

After which, Mr *Alford* and Mr *Dalton* spake severally to the said Bill, touching certain offences to be made Treasons. Whose Speeches containing no new matter at all in them, more than hath been formerly spoken, are omitted in that often before-cited Anonymous Journal, out of which all these foregoing Speeches are transcribed. After all which, the business was at length drawn to this Head, to be referred to a Committee, whose names being there likewise omitted, are therefore all of them supplied out of the Original Journal-Book of the House of Commons it self, in manner and form following.

All the Privy-Council being Members of this House, Sir *Christopher Heyden*, Sir *Henry Nevill*, Sir *Nicholas Arnold*, Mr Serjeant *Manwood*, Mr Serjeant *Jeoffry*, Mr *Heneage*, Mr *Stoaks*, Mr *John Vaughan*, Mr *Bell*, Mr *Mounson*, Mr *Popham*, Mr *Norton*, Mr *Dalton*, Mr *Fleetwood*, Mr *Yelverton*, Mr *Goodier*, Mr *Alford*, and Mr *Long*, were appointed to meet to Morrow at two of the Clock in the Afternoon, in the Star-Chamber.

Mr Doctor *Lewes*, and Mr Doctor *Huick*, brought from the Lords a Bill touching the untrue demeanors of Tellors, Receivers, Treasurers and Collectors.

On Friday the 13th day of April, Five Bills had each of them one reading; of which the last being

the Bill for suppressing of Simony in Presentations to Benefices, was read the first time; to which, because Mr *Snagg* spoke upon the first reading, being a thing not altogether usual, his Speech is therefore transcribed out of that often before-cited Anonymous Journal.

Mr *Thomas Snagge* treated hereupon, viz. after the reading of the said Bill of Simony, saying that the cause of the slanders, which the Papists have against the Church of England, in that they say Coblers, Taylors Tinkers, Millers, &c. are of the Ministry, groweth thereby, that the Livings are detained by the Patrons from the Spiritual, in their own hands, to their own private uses; whereas the first original of the creation of Patronages, being considered, it appeareth that nothing is left to the Patron of right. The manner of their original he shewed at large, and that the same was granted *Deo & Ecclesie*, and concluded that the Patron had nothing of worth or value, but a bare nomination, if it be truly used; since that dealing sincerely, he is neither to respect Commodity, Blood, Affection, Friendship, nor any thing else, but the worth and sufficiency of the Man, &c.

The Bill against Vagabonds was read the first time; after which ensued divers Speeches, which is not commonly used, until after the second reading, and therefore they are the rather transcribed out of the aforesaid Anonymous Journal.

Mr *St. John* moved, that an old Bill before this time exhibited into the Lower House concerning this matter, might be perused.

Mr *Sands* endeavoured to prove this Law for Beggars, to be over sharp and bloody, standing much on the care which is to be had for the Poor; saying, that it might be possible with some travail had by the Justices, to relieve every man at his own house and to stay them from wandring; this experience he shewed, and what was done in the County of *Worcester*. Mr Treasurer talked to this effect, that he would have a Bridewel in every Town, and every Tipler in the County to yield twelve pence yearly to the maintenance thereof.

Mr *Wilson* a Master of the requests, argued thus; that poor of necessity we must have, for so Christ hath said, until his latter coming: and as that is true, so said he also, that Beggars by Gods word might not be amongst his People: *Ne sit mendicus inter vos*. His Experience he shewed through the greatest part of Christendome, concluding that such looseness and lewdness was no where, as here; he said it was no Charity, to give to such a one, as we know not, being a stranger unto us. Thus, said he, did the *Locrenses* constitute by their Laws. Even as of Thieves did the *Grecians* judge of them. To the pain of the Constables for their remiss dealings, he wished might be conjoined Imprisonment.

On Saturday the 14th day of April, the Bill for one *William Skevington* was read; where-
by

by was supposed a deceit practised by one *Sacheveril*, for conveying of Land, contrary to the true meaning, by subtil forging of a false deed, in place of the true deed: which being read it shewed the confession of *Sacheveril*, and prayed restitution, with discharge of all mean incumbrances during such time as it was in the possession of *Sacheveril*.

Mr *Fleetwood* endeavoured to prove, that all such sinister, false, fraudulent or covenous dealings being opened in that place, albeit that the party pray not redress, yet being made apparent to that High Court, ought not to be pretermitted without due consideration and convenient punishment to be by the House assigned, and the party to be brought to the Bar of that House; for proof thereof, he shewed in the time of King *Henry* the Fourth, that the abusing of one of that House, coming home into his Country, for what he had done or spoken in the House, was afterwards adjudged of in that place, and a Law presently made for what before was not thought upon; the like he shewed to be done in *Henry* the Eighth his time, concerning an Excommunication had at *Serjeants-Inn*, &c. He also remembered a President of one *John Rue*, who for that he meaning to have deceived a Merchant of *London* in sale of certain sums of money due unto him, to be paid out of the Exchequer, as he pretended, whereas in truth the money was before received by him who sold the Debt; Judgment was given for the subtilty of the loss of his goods, the profit of his Lands, and perpetual Imprisonment: For every Conspiracy, the Judgment is by Law (said he) villanous, even as in the Case of Attaint, to have the Houses turned up, the Meadows Eared, &c. He shewed also, that in the time of *Edward* the Third, one meaning to cause the price of Wooll to fall, gave out that there was likelihood of Wars to be between the King of *England*, and the King of *Denmark*, by which means the Traffick of the Staple was like to be stayed: Whereupon it was presently ordained, that he should be banished, though for that purpose there were no Law before.

After this Speech, as it should seem, Committees were appointed for this Bill; whose names being not found in the aforesaid Anonymous Journal, out of which the preceeding Speeches are transcribed; they are therefore supplied out of the Original Journal-Book it self of the House of Commons, and were as followeth; viz. Sir *John Thinne*, Mr *Stokes*, Mr *Bell*, Mr *Fleetwood*, Mr *Bedell*, and Mr *Smith*, to meet in the Star-Chamber, upon *Wednesday* next at three of the Clock in the Afternoon.

The Bill for the Free Grammar-School in *Southmark*, was read the first time.

For the Bill of Treasons and Additions, it was Ordered, that such of the Committees, as are Learned in the Laws, shall have Authority to confer with the Queens Majesties Learned Counsel, touching the same Bill and Additions.

The Bill for Reformation of the Book of Common-Prayer, was read the first time, after which (the Bill being preferred by Mr *Strickland*) ensued divers long Arguments, which being omitted in the Original Journal-Book of the House of Commons, are therefore supplied, with some small alteration, where need required, out of that often before-cited elaborate Anonymous Journal of the same House, in manner and form following.

Mr *Treasurer* (of her Majesties Household) reasoned to this effect, That if the matters mentioned to be reformed were Heretical, then verily they were presently to be condemned; but if they are but matters of Ceremony, then it becometh us to refer the same to her Majesty, who hath Authority, as Chief of the Church, to deal herein. And for us to meddle with matters of her Prerogative (quoth he) it were not expedient. Withal, he said, what Cause there might be to make her Majesty not to run and join with those who seem to be most earnest. We are not to search, whether it be, for that in time and order she hopeth to bring them with her, or what other secret cause or scruple there may be in the heart of Princes, it is not for all people to know.

Mr *Comptroller* argued to this effect as afore, commending the Zeal, but that the place and time were not fit. And since we knowledge her to be Supream Head, we are not in these petty matters to run before the Ball, which to do, and therein to offend, were great folly; how forewarned we were herein, he did refer to our consideration, insinuating in some sort, that our heady and hasty proceedings, contrary to and before the Law, did rather hinder than help.

Hereupon one *Pistor* with a grave and seemly Countenance, and good natural Eloquence, shewed how Conscience enforced him to speak; and rather to hazard his Credit than to the offence of his Conscience be silent. Albeit he would acknowledge willingly, that many hundreds of that Honourable and Worshipful Assembly, were well able to teach him, and he indeed willing to learn of them all: the matter of his grief was, that matters of importance standing us upon for our Souls, stretching higher and further to every one of us than the Monarchy of the whole World, were either not treated of, or so slenderly, that now after more than ten days continual consultation, nothing was thereon concluded. This Cause he shewed to be Gods, the rest are all but Terrene, yea trifles in comparison; call you them never so great, or pretend you, that they import never so much; Subsidies, Crowns, Kingdoms, he knew not, he said, what they were in comparison of this; this he said, I know, whereof he most thanked God, *primum querite Regnum Dei, & cetera omnia adjicientur vobis*. This Rule is the direction, and this desire shall bring us to the light, whereupon we may stay, and then proceed unto the rest; for

for in his word, and by him we learn, as faith *S^t Paul*, to correct, reform, &c. Our true home certainly is not here, *Non habemus hic permanentem Civitatem*: and the Justice of God moved Terror unto all, which he seemed to mean concerning the Bill before-mentioned of *Strickland's* Propositions. And so did set it forth with vehemency, that there lacked no modesty, and with such Eloquence, that it neither seemed studied, nor too much affected, but grave and learned throughout, and no whit too long, but very well approved of.

And after him *Mr Snagge*, and far after him indeed, either for order, proof, or matter, he entred into the discourse of *Strickland's* Articles, and seemed to maintain them; this namely, not to kneel at the receiving of the Communion, but rather, if a Law hereof should be made, to lye prostrate, to shun the old Superstition; or otherwise to set every man at liberty, and in this behalf to do according to his Conscience and Devotion, he judged it to be nothing derogatory or contrary to the Prerogative. And the directions he thought fit to be left out of the Book, which should be a Law, &c.

After which Arguments it was upon the question agreed, That a Petition should be made by this House unto the Queens Majesty, for her Licence and privy to proceed in this Bill, before it be any further dealt in.

The Bill for the Commission of Sewers was read the third time, and after some Arguments passed upon the Question, and was sent unto the Lords by *Mr Treasurer* and others.

The Bill against Licences and Dispensations, granted by the Archbishop of *Canterbury*, was put to the question, Whether it should be read or no? It was over-ruled in the affirmative, and had thereupon its first reading. After which *Mr Alford* (although a Bill be not usually spoken unto until after the second reading) spake against the Bill, and endeavoured to prove, that Licences for Marriages in some cases might be needful, and that Dispensations also for non-residence might upon some occasion be of great necessity, as if a Minister should be employed upon some Foreign Ambassage, or other matter of great weight.

Mr Yelverton much disliked, as it should seem, *Mr Alford's* Speech, and spake very vehemently in maintenance of the Bill, alledging, that, as he thought, no good Christian could be against it; in respect that by the very words of the Bill it appears, that it was only framed for the suppression of such Licences and Dispensations, as were contrary to the Word of God.

Mr Dalton spake next against the Bill, and grounded his opinion only upon this vain supposition, That a Bishop can do nothing contrary to the Word of God.

Mr Beadle spake next in maintenance of the Bill; but the substance of his Speech is so briefly and imperfectly set down, as it cannot be gathered what his Reasons were.

Mr Mamwood spake very judiciously and moderately, allowing well the scope and meaning of the Law, but wished, that in respect it mentioneth the redress of many Grievances, those same Grievances might first be particularly made known to the House, before the Bill were any further proceeded in.

Mr Fleetwood approved the Bill, yet spake not directly for it; but very covertly guarded at the Ecclesiastical Judges, and the Office of Faculties; shewing also in the conclusion of his Speech, that Livings are given to Ministers for the instructing the King and his People, and for the keeping of House, and other deeds of Charity: all which, if they were absent by dispensation, he inferred must of necessity be neglected.

Serjeant *Lovelace* lastly, as it should seem, concluded further Speech in this business, shewing the use and commodity of this Bill in question; but doubted that there was not power enough given therein, nor sufficient remedy provided for redress of the mischiefs thereby supposed to grow, by reason of the Granting the aforesaid Licences and Dispensations. Upon which (it should seem) that some Members of the House were appointed to consider of the said Bill, but their Names are not found in the Original Journal-book of the House of Commons, or in that before-cited Anonymous Journal, out of which both the preceding and ensuing Speeches are transcribed.

Mr Norton made a Motion by Warrant of this Court, by the wisdom and godly care which in matters of weight was to be employed, That to avoid the shameful and most hateful usage amongst the Ecclesiastical Judges, for delivering of Clerks convict upon their Oaths, and the manifest Perjury there by their Law against the Law committed, some order might be taken. He proved it might not be said a Liberty of the Church, except they will claim a liberty to sin; wherein indeed their principal liberty hath stood, and for the which they have not spared to hazard, nay to give, both their bodies and Souls to become Traitors to God and Man.

Thus did that Rebel Bishop *Becket*, whose principal quarrel and chief cause of all his stir, was, that the King would have punished one of his Mark, a Priest, for an abominable Incest committed by him; which trifling fault (forsooth) this Holy Saint could not endure to be rebuked by a Temporal Judge. *Et hinc illa ira*. He shewed, it could not be termed a Privilege, and encouragement to Learning, since it was no other but a Cloak for their Naughtiness, and for such as might be of the Popes Sect: as well appeared, in that it was allowed to none but to such as might enter their Holy Orders, and not to one that had two Wives. He shewed at large the Circumstance of their practised Order upon the purgation of such Clerks, declaring of truth so disordered and hateful doings, that the whole House resolved to take care for redress.

There was then next after, by the Policy of
Sir

Sir *Humphrey Gilbert*, a Motion made by one to have in talk the griefs which before had been uttered in the House, concerning the deceitful dealings of Treasurers and Receivers, the Reformation of the Exchequer for Homage, &c. and for the granting of Licences by the Queen, contrary to the form of sundry Statutes.

Hereupon Sir *Humphrey Gilbert* standing up, and some Introduction made to crave patience and toleration of the House, he endeavoured to prove the Motion of Mr *Bell*, made some days before, to be a vain device to be thought of, and perillous to be treated of; since it tended to the derogation of the Prerogative Imperial; which who should attempt in his fancy, could not otherwise be accounted than an open Enemy. For what difference is to say, the Queen is not to use the privilege of the Crown, and to say she is not Queen? since they are so linked together, that the one without the other may not possibly be, or subsist? We are (said he) to give to a common Constable the right and regard of his Office; which if we should deny her, what is it other than to make her meaner than the meanest? And albeit Experience hath shewed such and so great Clemency in her Majesty, as might make us perhaps forfeit our selves; yet it is not good to sport or venture too much with Princes; yea, let be that our meaning be good, yet if it be not so thought of, how then? He remembered the Fable of the Hare, which fled upon the Proclamation, that all Horned Beasts should depart the Court, lest his Ears should be said Horns; this did he further inculcate, with this further signification, that if we should in any sort meddle with those matters, her Majesty might look to her own Power, and thereby finding her validity to suppress the strength of the challenged Liberty, and to challenge and use her Power any way, to do as did *Lewes* of *France*, who (as he termed it) delivered the Crown there out of Wardship, which the said French King did upon like occasion. He also said, that other Kings had absolute Power, as *Denmark* and *Portugal*; where as the Crown became more free, so are all the Subjects thereby the rather made Slaves.

This Speech was disliked, as implying many occasions of mischief, but for the present he was not answered further, than that it seemed he did mistake the meaning of the House, and of the Gentleman that made the Motion; who would it otherwise to be taken, nor otherwise for the House to deal in the matter, than to shew their common griefs in due and seemly sort unto her Majesty.

The Parliament was then by the consent of the House, for that it was *Easter* Eve, Adjourned until *Thursday* next; and it was agreed, that they should from thenceforth come to the House at seven of the Clock in the Morning; during which said time of *Easter*, Mr *Strickland* so often before-mentioned for the Exhibiting the Bill for Reformation of Ceremonies, and his Speech

thereupon, was called before the Lords of the Privy-Council, and required to attend upon them, and to make stay from coming to the House in the mean season.

Thus far out of the aforesaid Anonymous Journal of the House of Commons. The entrance into the next days Passages ensueth out of the Original Journal-Book it self of the said House, in manner and form following.

On *Thursday* the 19th day of *April*, to which day the House of Commons had been on *Saturday* the 14th day of this instant *April* foregoing, Adjourned, The Bill for the restraining of *Kentish* and *Suffex* Cloths to be sold at the Fairs at *Maidston*, was read the first time.

The Bill for the validity of Burgeses not resistant, was read the second time; upon which ensued divers Arguments, which being altogether omitted in the Original Journal-Book of the House of Commons, are therefore supplied out of that often before-cited Anonymous Journal.

The first man that spoke effectually to this Bill, was Mr *Warnecombe* of *Hereford*; who standing up, said to this effect, That it behoveth all those which were Burgeses, to see to that Bill; for (quoth he) this may touch and over-reach their whole Liberties, as not having whereunto to stay; but that Lords Letters shall from henceforth bear all the sway: and to this effect was all that he said.

Mr *Norton* first made Explanation of the meaning of the Bill, to be (he said) to shame the imperfection of Choice, which is too often seen, by sending of unfit men; and lest happily any thing might be objected to the imperfection of the Parliament, which may seem to be scant sufficient by reason of the choice made by Boroughs, for the most part of Strangers (whereas by the positive Law no man ought to be Chosen Burges for any Borough, but only Residents and Inhabitants) He said further, that the choice should be of such as were able, and fit for so great a place and employment, without respect of privilege of place or degree; for that, by reason of his being a Burges, it might not be intended or thought he was any thing the wiser; withal he argued, that the whole Body of the Realm, and the good Service of the same, was rather to be respected, than the private regard of Place, Privilege, or Degree of any Person.

Then Mr Speaker moved the Opinion of the House, whether they could like the Bill should be ingrossed; and coming to the Question, some said No; but the greatest number seemed to say Yea.

Whereupon one standing up, whose name is not expressed in the said Anonymous Journal, said thus, I run wholly with the pretence of the Bill, that Boroughs decayed may be eased or relieved, knowing assuredly the same Honourable for the Realm, and in many respects profitable and commodious to those who do inhabit the Countries adjacent to such decayed Towns; that

That it is so, I will not stand to perswade. How far this Law may help them, I know not; if they be decayed, then it is most fit for them, that of their own Company there may be some, who feeling the smart, can best make relation of their estate; and knowing the Country, may devise and advise of such helps, as without the hurts of other places may restore the old ruines. All things are in change, and nothing so suppressed, but by God's Grace the same may in time by Policy be raised up. But to open my meaning shortly; the question is, What sort of men are to come to this Court, and publick Consultation in Parliament? Whether from every Quarter, Country, and Town there should come (as I might say) home-dwellers, or otherwise men chosen by directions, it forceth not whom? I am surely of mind, that neither for the good service of her Majesty, safety of our Country, or standing with the liberty, which of right we may challenge (being born Subjects within the Realm) this scope is to be given, or such looseness in choice to be permitted. That the whole Land of this Realm, we know, is to be for three purposes employed, and thereby three sorts of men are, as it were, created. The one part given in *Frank Almoigne*, or for Divine Service to be used, to the Glory of God and Ministry of his Word.

The second part to be holden for defence against our Enemies by the Sword.

The third for maintenance of our livelihood at home, and for necessary employments here. Of these three grounds, in the first division there groweth to our knowledge three sorts of men, the Ministers and Teachers of the Gospel, of whom we must have care, and with whom in making of Laws we must conferr. if we will be Christians. The second are the Nobility, Knights, and Souldiers, the Defenders and Fortresses against our Enemies. The third sort be the Providers, Devisors, and Executors of all things necessary; commodious or seemly for a settled Estate (which hath the happiness to live there where is *Pax & Justitia*) for increase of our Wealths, sustenance of our Laws, the governing of bodies, or what else soever is necessary for us: such are the Counsellors, such are the Judges and Ministers of the Laws, such be the Tillers of the Earth, such be Merchants, such be Victuallers, and in this degree be those, who do use Manual and Mechanical Arts. Of all these, in like sort, as of the others, regard, care, and respect must be had; they thoroughly consulted with, the general and particular States are by them to be known, if we mean to proceed for the Publick Weal, or endeavour in the same a true perfection. These last sort making one kind are most ample, and thereto most effectual to be dealt with, as yielding to the rest *supplementum, consilium & auxilium*.

The second sort is likewise most necessary to be thought of. The first are best, and first to be followed; but those are all to be in one knot con-

joined, and as members of one body in one to be used. We may in regard of Religion lye in the Dike (as the Proverb is) long enough without our own aid, if we do nothing but pray for the help of *Hercules*. We may not trust only to the Sword, lest the common known Saying of *Cicero* should turn to our shame: *Parva sunt foris arma, nisi Consilium Domi*. Neither our Preaching, nor our praying to God are only sufficient, but withal we must do our endeavours, and help each other; since for the driving away of a Dog there is (as the Country-man saith) some virtue in a stone, if it be conjoined with *S^t John's* Gospel; I mean, that every part of the body should do his own part to the aid of the other; the hand to help the hand, the foot to help the foot, &c. This hath moved our Forefathers, and on this ground hath it grown, that in this Court where we are to consider of all, and (as occasion may serve) to alter, constitute, or reform all things, as cause shall be, that we do know all sorts of men, so far as may be to help all. How may her Majesty, or how may this Court know the estate of her Frontiers, or who shall make Report of the Ports, or how every Quarter, Shire, or Country is in state? We who never have seen *Bermick* or *S^t Michael's* Mount, can but blindly guess of them, albeit we look on the Maps, that came from thence, or see Letters of Instruction sent; some one whom Observation, Experience, and due Consideration of that Country hath taught, can more perfectly open what shall in question thereof grow, and more effectually reason thereupon, than the skilfullest otherwise whatsoever. And that they should be the very Inhabiters of the several Countries of this Kingdom, who should be here in times certain employed, doubtless it was the true meaning of ancient Kings and our Forefathers, who first began and established this Court. But leaving what I cannot reach unto, the first constitution and freedom of this Court, the old President of Parliament-Writs do teach us, that of every Country their own Burgeses should be Elected, the Writ to the Sheriff and Burrough is directly so; and the Writs to the Cities being Counties, are, *Quod ex vobis ipsis eligatis duos Cives*, &c. which do prove it to be so; the Statute in the 1 *H. 5.* for the Confirmation of the old Laws was therefore made, and not to create a new unknown Law; and that other in the --- *H. 6.* was made to redress the mischief, which by breach of that old Law did grow. These do conclude it without contradiction, that for that time it was thought fit to continue the ancient Use, Liberty, and conveniency of Service. We know that such as have spent their whole time in Service, or have seen only the manner of Government of other Nations, and can tell you how the Crown of *France* is delivered out of Wardship, or otherwise tell a Tale of the King of *Castile* and *Portugal*; how they in making of Laws do use their own discretion, the King of *Denmark* useth the advice of his Nobles only, and nothing

of his Commons; nor can paint you out the monstrous Garments of the common People in some parts of *Germany*, or the mangled Common-Wealth of the Allies, or shadows of the great Cities, which now are to be seen in *Italy*; surely all those men, except they know also our own homes, are not to be trusted to conclude for our own Home-Affairs. Doubtless the best learned for matters of Commodity to be raised, or to be wrought in his own Country, may happily give place to his own Neighbours, even as wisely and learnedly a Gentleman said of late, In every Commitment, according to the matter, there must be a Declaration of men, as for Merchandize the Merchant and so forth: *Unicuique in sua arte perito credendum*, we hold for a Maxime. And I mean this wholly to no other end, but since we deal univerally for all sorts and all places, that there be here of all sorts, and all Countries, and not (seeing you list so to term it) thus to ease them of Towns and Boroughs, that they may chuse at liberty whom they list; yet can I hardly call that a Liberty which is contrary to that which the King and the Queen commonly granteth as a free gift, and by these words, *Et de majori gratia mea, &c. dedimus potestatem, &c. quod de se ipsis eligant duos Burgenses*, or *duos Cives*; we take it more for a man to have of his own, than to have (by any mans discretion) of another.

It hath been of late oft and well said, that to nominate another to a Benefice is nothing worth in value, but if it be, that a man may take the benefit himself, that is both valuable and estimable: that cannot hurt, that is ever good for me, if it be ever tied in nearest sort unto me; and for this reason we say in Law, that the Estate Tail, which must continue in our own Blood, is better than the Estate in Fee simple, which may be got further from us, and is to be given to Strangers at pleasure; mischiefs and inconveniences there may grow by this Liberty; but a mischief it may be to me, and inconvenient also to utter the same: I will not speak thereof but dutifully, neither do I see any thing that is amiss at this present; what was done a hundred years since, I may safely tell, and thus it was.

A Duke of this Realm wrote his Letters to a City, which I know, to this effect; whereby he did signify, that a Parliament was to be Summoned in short time, and that for great causes he was to crave aid of all his Friends, and reckoning them amongst the rest, he wished them of four under-nominated to chuse two; the Letter under the Dukes Seal is still preserved, but hear you the Answer; he was written to with due humbleness, that they were prohibited by Law, they might chuse none of them. I will venture a little nearer.

In Queen *Maries* time a Council of this Realm (not the Queens Privy-Council) did write to a Town, to chuse a Bishops Brother, (and a great Bishops Brother it was indeed) whom they assured to be a good Catholick man; and willed them to chuse to the like of him some other fit

man. The Council was Answered with Law. And if all Towns in *England* had done the like in their Choice, the Crown had not been so wronged, and the Realm so robbed with such ease at that Parliament, and truth banished as it was; what hath been, may be, there is no impossibility. It will be said, I mistake, it is not meant, but that Towns shall be at liberty to chuse whom they list. I say, that Liberty is the loss of Liberty; for when by Law they may do what they will, they may not well deny what shall be required. It is too truly said, *Rogando cogit qui rogat potentior*. And I have known one that to avoid a great mans displeasure that dwelt near him, that was desirous (as he knew) to buy his Land, did upon small occasion bind himself not to alienate his Land from his true Heirs: this being known, I mean that he was bound as afore-said; the great man was contented to let him keep his own quietly, which otherwise he would not have done. Surely Law is the only Fortref of the inferior sort of People, and contrary to the Law, the greater sort will not desire or expect any thing. Though now at this present (God be praised) we need not to fear the greatness of any man, Justice is so well administred: Yet hereafter, whatsoever hath been we may fear, either for maintenance of Faction, or maintenance of Mischief. Again, I say, it may be, what heretofore was possibly again may be. We stand and have stood of late upon the notorious manifestation of the Authority of Parliament: except withal you keep the ancient usage of the same, and withal endeavour the freedom thereof, in effect you do nothing, if I guess aright.

It is further said, that in some Towns there are not men of discretion fit; they be not the wiser (said the Gentieman that spoke before,) for being Burgeses. I can never be perswaded, but that either the Lord, whose the Town is, be the Town never so little; or the Steward, if it be the Queens, or some good Gentleman of the Country adjoinant, will either assign them who know the Town and can be content to be free among them, and to serve by their appointment, for their Country, and for them; or else for some reasonable Fee, such as be of their Learned Council, and who know them, and the Country will deal for them. I mean it not so strictly, that those who should be chosen, should of necessity be dwellers in the Town; but to be either of the Town, or towards the Town, Borderers and near Neighbours at the least: and to this effect I would the Bill were framed. I stand too long hereon, and abundance of matter occasioneth confusion; this is all. It was meant at the first, and first Constitution of Parliament, that men of every quarter, and of all sorts, should come to this Court, that they should be freely chosen. This in every Age hitherto hath seemed best; to alter without cause is not convenient; to give every Town liberty may offer in time inconvenience. None so fit for every Country as those who know the same. To chuse of their own, it

is a Liberty; to lose their Liberty, I think it a bad Commodity, call it as you please; by such kind of release in easing men of their Wealths, or of some good part of their Living, bethrow our Charity. And in like sort, and in like reason, it seems to me this Law is inferred out of the Preface of the same. For thus it is penned:

Forasmuch as some Towns are decayed, and have not of their own, therefore let every Town do what they list. Of a particular Proposition to make a general conclusion, it is against our Rules, and nothing (as saith the Philosopher) is more absurd than *non causam pro causa*. Some Towns cannot send fit men, it standeth very strongly, if you seek to help, let the Plaister be fit for the sore; let not the Salve be stretched too far, lest the whole and sound flesh by the broad spreading of the Salve, do either smart, fret or fester. The Medicine which healeth the sick man may be poyson for the whole and sound man. All Citizens and Burgeses should not be thought alike, and yet all provided for, as there is due cause; let there be therefore convenient consideration, how to heal, how to hurt. And I could wish, according to the weight of the matter, it might be rather staied on, than thus abruptly overruled; and while we fly *Scylla*, we fall not into *Charybdis*; while we say that Boroughs cannot send to this High Court so fit men as be convenient, that by altering the ancient usage, which is the only Warrant and sole stay of freedom in Parliament, it may happily be said we have no Parliament now within this Realm, nor Liberty at all for any such here to be holden.

Mr *Bell* in Answer of this, did collect the substance of what had been said, and in a long Discourse shewed, that it was necessary all places should be provided for, and not Boroughs only, being but one of the Members of the Commonwealth, and that some of them have neither Wealth to provide fit men, nor themselves any in any sort convenient. He thought not amiss, if in respect of those manifest wants, convenient supply should be; but without the Warrant of Parliament, such alteration might not be. He then thought it not amiss to be advised. And for the objection of the danger which may ensue by reason of the Letters of Noblemen; he could not (he said) but think it convenient to prevent the same; and therefore wished, that there might be the penalty of forty pound upon every Borough that should make such Election at the Nomination of any Nobleman.

Mr *Alford* reasoned to this effect, That above all things, necessary care ought to be for the chusing and having of fit men to supply the place, that there be not imperfection. And therefore noted one great disorder, that many young men, not experienced, for Learning sake, were often Chosen, through whose default he knew not; whether Letters of Noblemen, Love or Affection in the Country, their own Ambition, or the careless accompt of the Electors, or what else was the Cause, he knew not; but it was to be

seen: whereupon he would, none should be of that House, not of thirty years of Age at the least. And for the Choice of Townesmen (he said) he was of this mind, that *Moses* and *Aaron* should be conjoined together, and that there should be one of their own, or some Gentleman near them, who had knowledge of the State of the Country; and the other a man Learned, and able to utter his mind and opinion, since that knowledge locked up in the breast, not being orderly opened, is to no purpose; and this part (he said) was as requisite for consultation as the other. So that he seemed to conclude the Law should be in force for the one Burgeses, and at Liberty for the other.

After which Speeches the aforesaid Bill touching the validity of Burgeses, &c. was Ordered to be committed, but the names of the Committees being not found in the aforesaid Anonymous Journal, are therefore transcribed out of the Original Journal-Book of the House of Commons it self; viz. Sir *Thomas Hilton* Knight, Mr *Bell*, Mr *Robert Bowes*, Mr *Fleetwood*, Mr *Warncomb*, Mr *Bedle*, Mr *Atkins*, Mr *Alford*, and Mr *Gynes*; and appointed to meet in the *Temple-Church* upon *Saturday* next at two of the Clock in the Afternoon.

It was Ordered that the Wardens of the *Fleet* should bring Mr *Sacheveril* into this House to Morrow in the Morning, at nine of the Clock, touching Mr *Skeffington's* Bill. Vide concerning this Bill on *Saturday* the 14th day of this instant *April* foregoing.

The Bill against Usury was read the second time, whereupon ensued divers Arguments and Speeches, which being omitted in the Original Journal-Book of the House of Commons, are therefore transcribed out of that often already cited Anonymous Journal of the same House, in manner and form following.

First one Mr *Clarke* spoke to this effect, That the referring of the punishment in the Bill mentioned, being put to the Ecclesiastical Judges, for so much was nothing; for that they are to punish by the Civil Law, by the Canon Law, or by the Temporal Law. The Civil Law would not avoid them, because by that Law there is allowance of Usury. The Canon Law is abolished; and in that respect the Temporal Law saith nothing; so that the pretence may seem to be somewhat, but the effect thereby wrought is nothing; yet that it was ill, neither Christian nor Pagan ever denied. *Aristotle* being asked what Usury was? he said, it was *præter Naturam*, and therefore could not be defined. And *Plato* being asked the same Question, he said it was *idem ac hominem occidere*. St *Augustine* the same; And in the very words of the *Psalmist* answereth to the Question, *Domine quis habitabit in Tabernaculo tuo?* He said, *Qui curat proximo suo, non decipit eum, & qui pecuniam suam non dabit ad usuram.*

Mr *Molloy* first Learnedly and Artificially making an Introduction to the matter, shewed, what it might be thought on for any man to endea-

vour the defence of that which every Preacher at all times, following the Letter of the Book, did speak against; yet saith he, it is convenient, and being in some sort used, it is not repugnant to the word of God. Experience hath proved the great mischief which doth grow by reason of excessive taking, to the destruction of young Gentlemen, and otherwise infinitely; but the mischief is of the excels not otherwise. Since to take reasonably, or so that both parties might do good, was not hurtful; for to have any man lend his money without any Commodity, hardly should you bring that to pass. And since every man is not an Occupier who hath money, and some which have not money may yet have skill to use money, except you should take away or hinder good Trades, bargaining and contracting cannot be; God did not so hate it, that he did utterly forbid it, but to the Jews amongst themselves only, for that he willed they should lend as Brethren together; for unto all others they were at large; and therefore to this day they are the greatest Usurers in the World. But be it, as indeed it is, evil, and that men are men, no Saints, to do all these things perfectly, uprightly and Brotherly; yet *ex duobus malis minus malum eligendum*; and better may it be born to permit a little, than utterly to take away and prohibit Traffick; which hardly may be maintained generally without this.

But it may be said, it is contrary to the direct word of God, and therefore an ill Law; if it were to appoint men to take Usury, it were to be disliked; but the difference is great between that and permitting or allowing, or suffering a matter to be unpunished. It may be said, that *Nudum pactum non parit obligationem*, but there must be somewhat given in consideration. Let be that there is nothing given of the Lenders, yet there is somewhat *simile*, & *omne bonum exemplum*, & *omnis lex in se aliquid habet mali*; for that some body shall suffer thereby. We are not, quoth he, so straitned to the word of God, that every transgression should be surely punished here. Every vain word is here forbidden by God, yet the temporal Law doth not so utterly condemn it. As for the words of the Scripture, he saith, the Hebrew soundeth thus in Answer of this Question; *Qui non dat pecuniam suam ad morsum*: so it is the biting and over-sharp dealing which is disliked and nothing else. And this, he said, was the opinion and interpretation of the most Famous Learned Man *Beza*, and in these days, of *Bellarmino* and divers others; who say, that the true interpretation of the Hebrew word is not *Usura*, but *Morsus*.

Doctor *Wilson* Master of the Requests, said, that in a matter of so great weight he could not shortly speak, and acknowledging that he had thoroughly studied the matter, desired the patience of the House. And first he endeavoured to prove, that the common State may be without Usury; then he shewed, how even men that have been ignorant of God or his Laws, finding

the evils thereof by their Laws, redressed it; and utterly prohibited the use thereof. As the *Athenians* caused all the Writings taken for interest money to be burnt; and the like did *Lycurgus* by a Law which he made, and seeing the Fire, he said, he never saw so fair a Flame as those Books yielded. He then made a definition of Usury, shewing it was taking of any reward, or price or sum, over and above the due Debt. To make any thing of that which is not mine, it is robbery. Forthwith upon the delivery of the Loan money, it is not mine. And the Law is, that *Mutuum* must ever be free. And here he shewed the difference between Location and *Mutuum*; the one implying a contract, the other none. He remembered out of *Ezechiel* and other the Prophets, sundry places of Scripture, and vouched St *Augustines* saying, that to take but a Cup of Wine, is Usury and Damnable. This he seemed to say in Answer to that which had been before pronounced, that it was not Usury except it were *Morsus*.

He shewed, that loss may grow by Usury; First, to the Queen, then to the Common-Wealth. To the Queen in this, that men not using their own money, but finding great gain in Usury, do employ the same that way; so that her Customs must decrease: To the Common-Wealth, for that, who so shall give hire for money, is to raise the same in the sale of his Commodity. All Trades shall be taken away, all occupations lost; for most men seeking most ease, and greatest gain, without hazard or venture, will forthwith employ their money to such use. He shewed it to be so hateful in the Judgment of the Common Law, that an Usurer was not admitted to be a Witness, nor after his Death to the common Sepulchre of Christians. And for that his Discourse had been long, he inserted (as he said) this Tale for recreation of the Hearers.

In *Italy*, Quoth he, a great known Usurer being Dead, the Curate denied him the common place of Burial; his Friends made Suit, the Priest would not hear; in fine, the Suitors bethought them of a Policy to bring it to pass, that he might be Buried in the Church; which was this. The Parson of the Church did accustomably use to carry his Books daily from his House to the Church on his Ass; and the Ass by often going needed not to be driven, but knowing his Journey, as soon as he was laden, would of himself go to the Church Door; they desired the Parson, his Ass might carry the dead Body, and where it should stay, the Body to be Buried. To so fond a request the Priest agreed, the Body was laid on the Ass, who feeling a greater burthen than he was used to bear, did run towards the Town, never staying until he came to the common place of Execution.

This Tale merrily told, he again entred to his matter, and proved the Condemnation of Usury and Usurers, by the Authority of the *Nicene* and divers other Councils: He shewed, that the Divines do call Usury a Spider, a Canker, an Aspis, a Ser-

a Serpent and a Devil; he shewed how in nature the offences of Homicide and Usury are to be compared, and by Examples proved the ruins of divers Common-Wealths, when such practices for gain are suffered as that of the Common-Wealth of Rome, &c. The manner of Exchange now used in London, and how much abuse he shewed, a thing in old time not practised, but by the King, as in Ed. 3. time, when thereby the King obtained such Treasure, and such excessive Wealth, that it was first wondred at, then guessed that it grew by the Science of Alchymy. He here shewed the practice of the Low-Countries, of Germany, and namely the doings of Fulchers to the very beggering of great and mighty Princes; he vouched the authority of Sir John Cheek in that place, concerning that matter; and the mind of the ancient English Law-Writers, who say that the offence of Usury in Life the Bishop is to punish; but after his Death his Executors shall not have his goods, but they appertain *ad Fiscum*. He concluded that the offence in his Conscience should be judged Felony.

Mr Bell said, This matter being so ample had occasioned much Speech, and was for cunning men a fit Theme to shew their Wits and skills upon. Yet, saith he, it standeth doubtful what Usury is; we have no true definition of it. And in our Laws we have little written thereon but this, *Usura non currat super Infantem*. And not much more but to Answer the Objections, where it is pretended, that the not punishing of it by the temporal Judge, may seem to be an approbation of it, or to leave it to the Church may seem as if we had no care concerning it; for that to put over an offence to another Judge, may not be so said, if to the Church it may appertain, and they may well correct it. He further shewed, that the priviledge of the Church is by Statute upon this point to be expressed, namely in the Statute *de Articulis Cleri*. He said, we must not curiously search Cicero's Paradoxes, and pronounce that *Peccata sunt aequalia, hoc est, quod omne peccatum est peccatum*; and no further: but be every man according to his transgressions, to make a reasonable pain; though he who stealeth two pence, doth as well steal as he who stealeth an hundred pounds; yet there are degrees; we have *Petit Larceny*, and that which is greater; both faults, both to be punished, both to be hated; but difference there is in punishing, even according to the greatness and smallness of the offence; for the one there is Death, for the other not so.

In the Statute for punishing of Perjury 5^o of this Queen, there are sundry degrees of Perjury: not for that there is less Perjury in the one than in the other; but that there is greater hurt occasioned in the one than in the other. In Answer of the Scripture, he said, the Law of God is, If thou be stricken on the one Cheek, to turn the other; or if thy Cloak be taken away, to give also thy Gown. The literal sence is not to be taken, and, as there is cause, a reasonable con-

struction must be. So he concluded, that though it were a sin, yet it was to be punished here on Earth according to the good or bad, or rather according to the greater or lesser hurt which groweth thereby.

After which one (whose name is not expressed in the said Anonymous Journal) endeavour'd the Answer of Mr Wilson, but with a Protestation of his insufficiency, and then he shewed, how the Divines have not agreed what is Usury, but for his own part, he was to incline to the opinion of the Learned of these days, whose interpretation of literal sence and skill of the Tongues do appear; which took that for no Usury which is without grievance. He made a difference of the Law of God concerning the Divine Majesty contained in the first Table, and what is concerning man in the second Table; saying, that nothing is to be said in that degree sin in it self, but by the circumstances; for so it is known whether it be good or bad. To kill is prohibited, yet sometimes not to kill is evil. Phineas killed, and was therefore commended. And Thefts at times have been in Scriptures approved. So likewise Usury is allowed of in the Scriptures; but that it might be used to Strangers only: Albeit the Chosen Children of God amongst themselves might not use it. But let be, whether it be utterly unlawful, or in some sort to be tolerated, it is a question; and until it be determined for the common Commodity and maintenance, let it be as hitherto it hath been used. And for the common sort of Bargains of Corn for Cloth, Silk for Land, &c. what they be, whether Usury or no, we know not. That all should be well, it is to be wished; that all may be done well among men, it is beyond hope, for we are no Saints, we are not of perfection to follow the Letter of the Gospel, Who so striketh the one Cheek, &c. and this Text *date nihil inde sperantes*; These are no express Commandments. For the first, the Law of nature doth direct, and for the other also the same Law in effect maketh defence; surely there can be no sin where there can be no breach of Charity. To do that therefore to another which we would to our selves (the state, circumstance and case to our selves considered) is commendable, or not to be reproved; if we our selves be to borrow, who is it that would not in extremity give a little to save much money? It is said, the Usurer doth or may grow rich: Who hath disliked in a Common-Wealth, that there should be *homines boni frugis*? they may be considered, and may be good, more than for one purpose. He further stood on this, that God did not absolutely forbid Usury, which surely if it had been utterly ill, he would have done. And he added, that the Common Laws were Cruel in their censures, and wished that they should be no more remembered than they are followed.

Serjeant Lovelace argued to this effect, that Usury was of money only, protesting that he hated all kind of Usury, but yet the greater the ill was, the more and more greatly did he hate the

the same. But to prohibit it with so sharp and extream a Law as to lose all, he thought it would be the ground of greater Covetousness; withal he added, to prohibit the ill of Covetousness in generality, were rash, void and frivolous; since that the Speech and the Act it self is indefinite, comprehending all our actions and doings; and therefore, as utterly vain to prohibit it, in vain words of generality. To prohibit Drunkenness, Pride, Envy, Surfeiting, &c. were somewhat in some particular sort; to do it in generality, albeit that we know that it is every way damnable by the direct and written word of God, it were but folly. Of these great Evils (to the which man of his nature is born and made prone, and too apt) when we may not reach to the best, furthest and uttermost, we must do, as we may say, by degrees. As to say there shall be no deceit, or sleight in making of this or that kind of Wares; that the Husband-man shall till his Arable Land, and that he shall not keep above such a number of Sheep; that there shall be no forestalling, regrating, &c. and this in particularity; whereas otherwise, generally amongst sinful men to prohibit this sin or that sin utterly on a pain, it may not be: but thus rather, he that shall so sin shall suffer or lose so much; whereupon he concluded, that there should be degrees in punishing of Usury; as he that should take so much, to lose, or be punished thus; he that shall take more, more deeply.

Mr Fleetwood shewed, that all these Arguments long since, with great skill, and very often have been opened in this place: He said, it was *Ingenui pudoris fateri per quem profeceris*. Mr Check, he said, argued, and so far forth explained this matter, as the Learner was thereby sufficiently informed, and the Learned fully satisfied. His Papers of his Speech (he said) he had not lost, and therefore could shew as much cunning as the cunningest, which had bent or endeavoured himself thereunto. He said he had read the Civil Law, and of the Common Law somewhat; but how well he did understand it, he would not promise ought: What Usury was, he said, he was not to learn; call it if we list, *Proxima homicidio*, or how else by a description, he forced not much; for if there were not Civil Law, it were not much to be accounted of for any certainty in this Case thereby to be had; and the most ancient Laws of this Realm have taught us thereof somewhat; as the Laws of do make to us mention of Usury. So do the Laws made in *Lucius* his time, and those of *Athelred*; whereby it was ordained, that Witches and Usurers should be banished. King *Edward* the Saint referreth and appointeth the Offenders herein to suffer *ordalium*. Then was there a great kind of Usury known, which was called *Torus*, and a lesser known by the name of *Glanvile*, in the Book *de legibus antiquis*, maketh mention of an inquiry of Christian Usurers. In the *Tower* (he said) he had seen a Commission awarded to the Master of the Courts (he named not what

Courts) to enquire of Usurers, and the punishment of them (he said) was whipping; he said further, by Scripture he knew it was damnable; and therefore, whether it was good or not good, it was no good Question. For the matter of Implication, whether by the pretence of the Law it might be intended that it was in any sort allowed; he said it might be construed and compared there with the Statute of Tiths: where it is said, that till for seven years after Heath ground broken up, no Tith shall be paid; the Construction hereupon is clear: He shewed also, that Usury was *malum in se*, for that of some other transgressions, her Majesty may dispence afore with; but for Usury, or to grant that Usury may be used, she possibly cannot. He further said, that the words of an Act of Parliament are not ever to be followed; for that sometimes the construction is more contrary to what is written, as in the Statute of *Magna Charta*; *nisi prius homagium fecerit*. And some Statutes are winked at by non-observation or otherwise, so that they seem to be no Laws, even in those things which we practise most, as the Statute of *Gloc.* for the Oath to be taken in Debt and Damages.

Mr Dalton endeavoured to prove, that Mr Fleetwood mistook the Bill, but in fancy he mistook his Arguments.

Mr Norton shewed, that all Usury is biting; as in the word *Steal* is contained all kind of injurious taking away of a mans goods: and as slanderizing is said to be murdering or homicide; so is Usury justly ever to be said biting, they being both so correlated or knit together, that the one may not be without the other. He concluded, that since it is doubtful what is good, we should be mindful of the old saying, *Quod dubitas ne feceris*, and for that *Quod non ex fide est peccatum est*, therefore he wished that no allowance should be of it.

After these Arguments (being transcribed out of the often before-cited Anonymous Journal) were ended, there is no other mention of any further proceeding in this Bill, but it doth plainly appear by the Original Journal-Book of the House of Commons, that this Bill having had its second reading as aforesaid, was now at the last, after the preceeding Arguments were ended, Committed by Mr Treasurer and others, whose names are all omitted in the Original Journal-Book.

On Friday the 20th day of April, the Bill for the Assizes to be kept at *Worcester*, was read the first time.

The Bill also for impannelling of Juries, was read the second time, and rejected upon the Question.

These two Bills being thus transcribed out of the Original Journal-Book of the House of Commons, the greatest part of the residue of this days passages, do here next follow, out of that often already cited Anonymous Journal, in which there is one Bill touching Caps, which is not at all mentioned in the Original Journal-Book it self aforesaid,

aforesaid, set down in manner and form following, viz.

A Bill for Caps was read the second time, and ruled, that the same should be ingrossed.

This Bill (as is aforesaid) is not at all found to be set down in the Original Journal-Book of the House of Commons; but that next ensuing is there mentioned, and the Arguments also touching the Liberty of the House, are there generally remembred, which with the said Bill do here at large follow, with some small alteration only, out of the aforesaid Anonymous Journal, in manner and form following.

The Bill for such as be fled beyond the Seas without Licence, or shall not return within a certain number of Dayes, after their Licences expired, to lose their Lands and Goods, and to avoid Covenous Gifts, was read the second time, and not then effectually spoken unto by any man.

Mr *Wentworth* very orderly in many words remembred the Speech of Sir *Humphrey Gilbert*, delivered some days before: He proved his Speech (without naming him) to be an injury to the House, he noted his disposition to flatter and fawn on the Prince, comparing him to the Camleon, which can change himself into all colours, saving white; even so (said he) this reporter can change himself to all fashions but honesty; he shewed further the great wrong done to one of the House, by a misreport made to the Queen (meaning Mr *Bell*;) he shewed his Speech to tend to no other end than to inculcate fear into those which should be free; he requested care for the credit of the House, and for the maintenance of free Speech (the only means of ordinary proceedings) and to preserve the Liberties of the House, to reprove *Lyers*, inveighing greatly out of the Scriptures and otherwise, against *Liers*. As this of *David*, *Thou O Lord shalt destroy Lyers*, &c.

Mr Treasurer signified his desire to have all things well; saying, he could not enter into Judgment of any; but he said, it was convenient ill Speeches should be avoided, and the good meaning of all men to be taken, without wresting or misreporting; and the meaning of all men to be shewed in good sort without unseemly words.

Mr Speaker endeavoured an Agreement and unity in the House, making signification that the Queens Majesty had in plain words declared unto him, that she had good Intelligence of the orderly proceeding among us; whereof she had as good liking as ever she had of any Parliament since she came unto the Crown; and wished we should give her no other cause than to continue the same, and added further her Majesties pleasure to be, to take Order for Licences; wherein she had been careful, and more careful would be.

Mr *Carleton* with a very good Zeal, and orderly shew of Obedience, made signification how that a Member of the House was detained from them (meaning Mr *Strickland*) by whose

Commandment, or for what cause he knew not. But for as much as he was not now a private man, but to supply the room, person and place of a multitude specially chosen, and therefore sent, he thought that neither in regard of the Country, which was not to be wronged, nor for the Liberty of the House, which was not to be infringed, we should permit him to be detained from us. But, whatsoever the intendment of this offence might be, that he should be sent for to the Bar of that House, there to be heard, and there to Answer.

Mr Treasurer in some case gave Advertisement to be wary in our proceedings, and neither to venture further than our assured Warrant might stretch, nor to hazard our good opinion with her Majesty on any doubtful cause. Withal he wished us not to think worse than there was cause. For the man (quoth he) that is meant, is neither detained nor misused, but on considerations is required to expect the Queens pleasure, upon certain special points: wherein (he said) he durst to assure that the man should neither have cause to dislike or complain, since so much favour was meant unto him as he reasonably could wish. He further said, that he was in no sort stayed for any word or speech by him in that place offered; but for the exhibiting of a Bill into the House against the Prerogative of the Queen; which was not to be tolerated. Nevertheless the construction of him was rather to have erred in his zeal and Bill offered, than maliciously to have meant any thing contrary to the Dignity Royal. And lastly, He concluded that oft it had been seen, that Speeches have been examined and considered of.

Sir *Nicholas Arnold* with some vehemency moved, that care might be had for the liberty of the House; he was enforced, he said, rather to utter, and so to run into danger of offence of others, than to be offended with himself.

Mr Comptroller replied to the effect Mr Treasurer had before spoken.

Mr *Cleere* told, how the Prerogative is not disputable, and that the safety of the Queen is the safety of the Subjects. He added, how that for matter of Divinity, every man was for his instruction to repair to his Ordinary, being a private man (where he utterly forgot the place he spake in, and the person who was meant; for that place required and permitted free speech with authority, and the person was not himself a private man but a publick; by whom even the Ordinary himself was to be directed) He concluded, that for as much as the cause was not known, he therefore would the House should stay.

Mr *Telverton* said he was to be tent for, arguing in this sort. First, he said, the President was perillous, and though in this happy time of lenity, among so good and honourable Personages, under so gracious a Prince, nothing of extremity or injury was to be feared; yet the times might be altered, and what now is permitted, hereafter might be construed as of Duty, and enforced,
even

even on this ground of the present permission. He further said, that all matters not Treason, or too much to the Derogation of the Imperial Crown, were tolerable there, where all things came to be considered of, and where there was such fulness of Power, as even the right of the Crown was to be determined, and by Warrant whereof we had so resolved. That to say the Parliament had no Power to determine of the Crown, was High-Treason. He remembered how that men are not there for themselves, but for their Countries. He shewed, it was fit for Princes to have their Prerogatives; but yet the same to be straitned within reasonable limits. The Prince, he shewed, could not of her self make Laws, neither might she by the same reason break Laws. He further said, that the Speech uttered in that place, and the offer made of the Bill, was not to be condemned as evil; for that if there were any thing in the Book of Common-Prayer, either Jewish, Turkish or Popish, the same was to be reformed. He also said, that amongst the Papists it was bruted; that by the Judgment of the Council, *Strickland* was taken for an Heretick; it behoved therefore to think thereof.

Mr *Fleetwood* first shewed the order of Civil Arguments from the cause to this effect, that time must be known and place observed. He said then, that of Experience he could report of a man that was called to account of his Speech in 5th of this Queen; but he said, he could not meddle with so late matters, but what he had learned in the Parliament Rolls, he thought convenient should be known and considered of. In the time of *H. 4.* a Bishop of the Parliament was Committed to Prison by Commandment of the King; the Parliament resolved to be Suitors for him. And in King *H. 5.* the Speaker himself was Committed, &c. with him another of the House; the House thereupon stayed, but remedy they had none, other than to be Suitors to the King for them; whereupon he resolved, that the only and whole help of the House for ease of their grief in this case, was to be humble Suitors to her Majesty, and neither send for him, nor demand him of right.

During which Speech the Council whispered together, and thereupon the Speaker moved, that the House should make stay of any further Consultation thereupon.

Thus far of these Speeches out of the aforesaid Anonymous Journal, unto which for the intire making up of this present days agitations, these passages following are transcribed out of the Original Journal-Book it self of the House of Commons, in manner and form following.

Mr Comptroller moved touching the Bill for *Bristol*, that Licence might be granted to amend it in form, not changing the matter; which was assented unto.

The Bill concerning coming to Church, and receiving of the Communion, was read the second time.

A Proviso to the Bill concerning coming to

Church, and receiving the Communion, was read the first time.

The Bill for *Shrewsbury* was read the second time, and ordered to be ingrossed.

On *Saturday* the 21th day of *April*, an Addition to the Bill for coming to Church, and receiving of the Communion, was read the first time.

A Proviso to the Bill for coming to Church, and receiving of the Communion, was read the first time.

The Bill for coming to Church, and receiving the Communion, with the Additions and Provisoes, were Committed unto Mr Treasurer, Mr Chancellor of the Dutchy, Sir *Thomas Smith*, Mr *Moore*, Mr *Henry Knolles* Sen. Mr *Sampool*, Mr *Mounson*, Mr *Bell*, Mr *Yelverton*, Mr *Agmonderon*, Mr *Boyer*, Mr *Thomas Snagg*, and Mr *Strickland*, who were appointed to meet in Mr Treasurers Chamber, at the Court, at two of the Clock in the Afternoon.

Thus far of this days Passages out of the Original Journal-Book of the House of Commons. Now follows an Observation upon Mr *Stricklands* coming to the House this day; being nominated the last Committee in the Bill foregoing, out of that often before-cited Anonymous Journal; because it doth conduce very much to the Declaration and maintenance of the Liberties of the House: for the said Mr *Strickland* having on *Saturday* the 14th day of this instant *April*, pressed very earnestly the reformation of the Book of Common-Prayer, and some Ceremonies of the Church, was, after the Adjournment of the House of Commons on that day, being *Easter Even*, called before her Majesties Council, about the beginning of the Week following, and was commanded by them to forbear coming to the said House, in the mean season, and to attend their further pleasure; whereupon, on *Friday* immediately foregoing, being the 20th day of this said instant *April*, divers Speeches and Motions having passed in the House, touching the breach of the Liberties thereof, by restraint of one of their Members from repairing thither (although he were neither imprisoned nor confined) Mr Speaker did at last desire them to forbear further Consultation in the said matter. And the House having at his said request, passed over the residue of the said day in the Morning, in the agitation of other business, the above-mentioned Mr *Strickland* did this Forenoon (upon an Advertisement (as it should seem) from her Majesties Council) repair again to the said House, soon after it was set. And coming just upon the time, when the foregoing Bill for coming to Church, and receiving the Communion, was in the referring to Committees; the said House did in witness of their joy for the restitution of one of their said Members, awhile from them restrained, presently nominate him one of the said Committees, as appeareth plainly by their names immediately foregoing, being inserted out of the Original Journal-Book of the said House, out of which these

next

next ensuing passages do follow; in manner and form following.

The Bill for *William Skeffington* Esq; was read the second time, and *Henry Sacheverel* being present at the Bar, and in open Court confessing the fraud, offered by way of excuse a Bill of causes moving him thereunto, which was read also, and ordered to be ingrossed.

The Proviso to the Bill for coming to Church, and receiving of the Communion, was read the second time; upon which, as it should seem, divers Arguments ensued, although no mention thereof be made in the aforesaid Original Journal Book it self; and are therefore supplied out of that often before-cited Anonymous Journal, in manner and form following; viz.

Mr *Aglionby* argued, that there should be no human positive Law to inforce Conscience, which is not discernable in this World. To come to the Church, for that it is publick, and tendeth but to prove a man a Christian, is tolerable and convenient; and not to come to Church may make a man seem irreligious, and so no man; for that by Religion only a man is known and discerned from Brute Beasts; and this is to be judged by the outward show. But the Conscience of man is Eternal, invisible, and not in the power of the greatest Monarchy in the World, in any limits to be straitned, in any bounds to be contained, nor with any policy of man, if once decayed, to be again raised. He shewed, that neither Jew nor Turk, do require more than the submission to the outward observance, and a convenient silence, as not to dislike what is publickly professed, but to inforce any to do the Act, which may tend to the discovery of his Conscience, it is never found. He shewed the difference betwixt coming to Church, and receiving the Communion; the one he allowed to be incomprehensible in Law, the other he could not allow. And in Answer of that which before had been said, that the Conscience was not straitned, but a penalty of the loss of their goods only adjudged; whereof no doubt the Law of God and the Law of Nations had given to the Prince an absolute Power; he said to this out of *Cicero de Legibus*, that man out of his own nature is to care for the safety of man, as being reasonable Creatures, and not the one to seek to bereave the other of his necessary livelihood, adding out of the same Book, this saying of *Tully*, *Qui Deum non curat hunc Deus ipse judicabit*. He shewed out of *S^t Paul*, that we must not do ill that good may grow thereby; we must not take from him that is his, to the end thereby to make him to do what is not in his power; to be fit for so great a mystery God above of his free gift may make a man.

To come unworthily the penalty is appointed, *S^t Paul* hath pronounced it to be Death and Damnation, as guilty of the Blood and Death of Christ. Not to come our Compulsory Law shall now condemn, so that this our favour herein to be extended, is either to beg, or be exiled from

our native Country. He said, there was no Example in the Primitive Church to prove a Commandment for coming to the Communion, but an Exhortation; he said, *S^t Ambrose* did Excommunicate *Theodosius*, and forbid him to come to the Communion, because he was an evil man. And for us to will and command men to come, because they are wicked men, it is too strange an enforcement, and without President.

Mr *Agmondesham* without regard of any thing spoken before, made mention of a Decree in the Star-Chamber made by nine of the Privy-Council, signed with their hands, and the hands of the Chief Justices, concerning the receiving of the Communion by Gentlemen of the Temple. This Decree made by so grave and learned men, he thought for himself, and to his own Conscience, was a stay what to judge, and a direction or president what to follow: the tenor of which Decree, for so much as it did concern the reformation of the Houses of Courts, and principal places to be thought and considered of, he wished might be inserted into the Law. The motion was well liked, and he required to bring the same the next day, which was done.

Mr *Norton* shewed, that where many men be, there must be many minds, and in consultations convenient it is, to have contrary opinions, contrary reasons and contradictions; thereby the rather to wrest out the best: but this by the rule of reasoning, and reason must be *sine jurgiis*: he then said, that not only the external and outward show is to be sought, but the very secrets of the heart in Gods cause, who is *scrutator Cordium*, must come to a reckoning. And the good Seed so sifted from the Cockle, that the one may be known from the other. A man Baptized is not to be permitted among us for a Jew. And here somewhat slipping from the matter in Speech, he moved, that all suspected for Papistry might make this Oath, That they did acknowledge the Queen to be Queen, for any thing the Pope in any respect might do, noting some imperfection in the former Oath. To this end, quoth he, are the Bulls now sent to discharge men of their Allegiance, and to give free pardon of sins; so that he, who thus should be pardoned, should from henceforth in no sort Communicate with the Professors of the Gospel; and now (quoth he) the very touchstone of trial, who be those Rebelious Calves, whom the Bull hath begotten, must be the receiving of the Communion; which who so shall refuse, we may justly say, he savoureth, &c. And men are not otherwise to be known but by the external sign. To Answer and satisfy the Dilemma objected before in the first day, made concerning the disorders of certain Ministers, in saying of the Service contrary to the instruction of the Book; he wished, this Proviso might be added, that mistaking of Chapters, misreading, &c. should be recovered as no offence, so that there be no Mass-Song, or Popish Service used in Latin, &c. And thus the Bill rested to be further considered of.

These preceeding Speeches being thus transcribed out of the aforesaid Anonymous imperfect Journal, a great part of the residue of this days passages, do now next ensue, out of the Original Journal-Book of the House of Commons, in manner and form following.

The Committees for the Bill of Treasons, were appointed to meet in the Star-Chamber, upon *Tuesday* next, between two and three of the Clock in the Afternoon.

The Bill for *Bristol* was brought in by Mr Comptroller, corrected in form, but not in substance or matter.

Mr Serjeant *Barham* and Mr Attorney General, declared that the Lords desire that some of this House be sent presently to them for Conference; whereupon it was Ordered, that all the Privy-Council, being of this House, Sir *Christopher Heydon*, Mr *Wilson*, Sir *John Thynne*, Sir *Nicholas Arnold*, Sir *Henry Gate*, Sir *Henry Norrice*, Mr *Andrian Stocks*, Mr Recorder of *London*, Mr *Fleetwood*, Mr Serjeant *Manwood*, Mr Serjeant *Lovelace*, Mr *Henry Knolles* Sen., Mr *Heneage*, Mr *Bell*, Mr *Mounson*, Mr *Norton*, and Mr *Telverton*, shall presently repair unto their Lordships: who so did, and thereupon brought report to this House from the Lords, that as the Season of the Year waxed very hot, and dangerous for sickness, so they desired, that this House would spend the time in proceeding with necessary Bills for the Common-Wealth, and lay aside all private Bills in the mean time. *Vide Apr. 26. Thursday postea.*

Which report was made by Mr Treasurer, and a Note brought from the Lords by him, of such Bills as they thought meetest to be treated of, was read by the Clark; viz.

The Bill for Treasons.

The Bill for coming to Church and receiving the Communion.

The Bill against untrue demeanors of Tellors, Receivors and Collectors.

Against such as be fled beyond the Seas without Licence.

Against fraudulent gifts and conveyances of Lands and Goods.

For preservation of Wood.

For respite of Homage.

For corrupt returns by Sheriffs.

For the Subsidy.

For Suits by Promoters.

The Bill for Subsidy was read the first time, to which there is nothing mentioned to have been spoken by any Member of the House of Commons, in the Original Journal-Book of the said House; and therefore, although that little that is set down in the often already cited Anonymous Journal do there remain imperfect, yet in respect it is the very last thing which is contained in it, I have thought it worthy the transcribing; it being as followeth,

Mr *John Young* (after that the said Bill of Subsidy had been read the first time) offered the House some Speech; and silence being obtained,

he spake to this effect; that the burden of the Subsidy and charge by Loans, imposed by the Prince upon us, and the charge of the richest and most noblest Prince being considered, it were not amiss if it -----

But what should here follow is hard to be conjectured, in respect that here the aforesaid Anonymous Journal breaketh off abruptly.

Sir *Robert Read*, and Mr Doctor *Tale*, did bring from the Lords a Bill against Bulls, &c. procured from the See of *Rome*, as a Bill amongst the residue of necessary Bills meet to be considered of, and prayed Expedition for the reading and passing thereof.

The Bill for the Erection of seven Banks or Stocks of money, was read the first time.

On *Monday* the 23th day of *April*, the Bill for *Bristol*, which was committed on *Thursday* the 12th day of this instant *April* preceeding, and brought in by Mr Comptroller on *Saturday* the 21th day of the same Month foregoing, was this day, upon the Question, Ordered to be ingrossed.

Mr Serjeant *Manwood*, Mr Serjeant *Lovelace*, Mr *Bell*, Mr *Mounson*, Mr *Baber*, Mr *Fenner*, Mr *Shute*, and Mr *Bedell*, are added to the former Committees for Vagabonds: but it should rather seem, that those were the first Committees appointed in this Bill, and that this was the second reading thereof; for on *Friday* the 13th day of this instant *April* foregoing, it had its first reading, and in the mean time since, between the said day and this present committing of it, there is no mention made in the Original Journal-Book of the House of Commons, that the said Bill was at all read the second time, or committed.

The Bill for reformation of Promoters, was read the first time, and after many long Arguments rejected. And Mr Attorney of the Dutchy, Mr Recorder of *London*, Mr *Sands*, Mr *Sampole*, Mr *Bell*, Mr *Popham*, and Mr *Alford*, were appointed to make a new Bill, and to meet in the *Temple Church*, upon *Wednesday* next at two of the Clock in the Afternoon.

Mr *Norton*, Mr *Fenner* and Mr *Fleetwood*, were appointed to draw a Bill for the preservation of Wood, and to receive information of all such, as for that purpose shall repair unto them.

The Bill against Bulls, &c. procured from the See of *Rome*, was read the first time, and Mr Attorney of the Dutchy, Mr Serjeant *Jeffry*, Mr *Wilbraham*, Mr *Telverton*, Mr *Norton*, and Mr *Sands*, were appointed to consider of the Bill, and to meet at the *Temple Church* at three of the Clock this Afternoon.

The Bill against untrue Demeanors of Tellors, Receivors, Treasurers and Collectors, was read the second time, and after many long Arguments was committed unto Mr Chancellor of the Dutchy, Mr Chancellor of the Exchequer, Mr *Heneage*, Mr Attorney of the Dutchy, Mr *Seckford*, Master of the Requests, Mr *Bell*, Mr *Alford*, Mr *Iresby*, Mr *Telverton*, Mr *Sampole*, Sir

John

John Thynne, *Sir Nicholas Arnold*, *Mr. Norton*, *Mr. Knivet*, *Mr. Mounson*, and *Mr. Dalton*, either to alter, or add unto the Bill; or else to make new Provisoes at their discretions, and to meet at the *Savoy* upon *Thursday* next at two of the Clock in the Afternoon.

On *Tuesday* the 24th day of *April*, Three Bills had each of them one reading; of which the third being the Bill against Fugitives, was read the second time, and after many long Arguments, was upon the Question committed unto *Sir Thomas Smith*, *Mr. Bell*, *Mr. Mounson*, *Mr. Thomas Snagg*, and *Mr. Telverton*, who were appointed to meet in the Star-Chamber at two of the Clock in the Afternoon.

It was Ordered by the House, that a Note be made against to Morrow of the Titles of all the Bills offered unto this House, and to be then read, to the end the House may make their choice, with which of them they will first proceed.

On *Wednesday* the 25th day of *April*, *Sir Robert Lane*, *Sir Henry Gate*, *Mr. Henry Knolles Sen.*, *Mr. Astley* Master of the Jewel-House, *Mr. Sands*, and *Mr. Wentworth*, were appointed to attend the Lord of *Canterbury* his Grace for Answer touching matters of Religion. *Vide Apr. 6. antea*, & *May 17. postea* at large.

The Bill for respite of Homage was read the second time; and *Mr. Recorder of London*, *Mr. Fleetwood*, *Mr. Sands*, and *Mr. Baber*, were appointed to mend the Bill presently.

The Bill lastly for the Subsidy was read the second time.

On *Thursday* the 26th day of *April*, Two Bills of no great moment, had each of them one reading, and were Ordered to be ingrossed; of which the second was the Bill for Conservation of Order and Uniformity in the Church.

The note of the Titles of the Bills being read, it was Ordered, that *Mr. Treasurer*, *Sir Arthur Mildmay*, *Sir Thomas Smith*, *Sir Christopher Heydon*, *Sir Henry Gate*, *Sir John Thynne*, *Sir Nicholas Arnold*, *Mr. Serjeant Manwood*, *Mr. Serjeant Lovelace*, *Mr. Stocks*, *Mr. Alford*, *Mr. Telverton*, *Mr. Fleetwood*, *Mr. Norton*, and *Mr. Dalton*, shall be Committees for appointing such Bills for the Common-Weal as shall be first proceeded in, and preferred before the residue, but not to reject any; and are appointed to meet at the Star-Chamber to Morrow at two of the Clock in the Afternoon.

Nota, That the appointing of the abovenamed Members of the House for the purposes aforesaid, as it is in it self a very rare President, and may prove worthy of often imitation; so it should seem that the House was induced unto it upon a Message sent unto them from the Lords by *Mr. Treasurer* and others on *Saturday* the 21th day of this instant *April* foregoing; by which they advised them to expedite the more publick and necessary Bills, and pass by those of less moment.

The two Bills concerning certain offences to

be made Treason, were twice read, and upon the division of the House were Ordered to be joined together and made one Bill, with the difference of thirty six Voices upon the said Division; and after long arguing, it was upon the Question Ordered to be ingrossed.

Mr. Solicitor and *Mr. Doctor Huick*, came from the Lords to demand Bills with speed, if any were ready; and were answered, that within few days their Lordships shall receive some.

The Committees in the Bill against Fugitives, as also in the Bill of Bulls, &c. procured from the See of *Rome*, which were committed on *Monday* the 23th day of this instant *April* foregoing, were this day appointed to meet in the Star-Chamber at three of the Clock to Morrow in the Afternoon.

On *Friday* the 27th day of *April* the Bill against Usury was read the second time, and Ordered to be ingrossed.

Four Bills also had each of them their third reading, and passed the House; of which the first was the Bill for preservation of Order and Uniformity in the Church, and the second for *William Skeffington* Esquire.

The Proviso to the Bill of Subsidy, for *Rumney-Marsh*, was twice read.

The Bill for respite of Homage was read the third time.

The Proviso to the Bill for respite of Homage was twice read.

The Bill for respite of Homage was committed to *Mr. Serjeant Manwood*, *Mr. Serjeant Lovelace*, *Mr. Wilbraham*, and *Mr. Popham*, who were appointed to meet this Afternoon at three of the Clock, and to make report unto this Court to Morrow next.

On *Saturday* the 28th day of *April*, a Supplication for the Merchants of *Dantzick* touching Cony-Skins, was this day read unto the House, and delivered unto *Mr. Treasurer*.

The Proviso to the Bill for Fugitives was twice read, and upon the question it was Ordered that the Bill shall stand as it is, touching the relief of Wives and Children. And the Bill was also Ordered to be ingrossed; with the Proviso for the Dutcheffs of *Feria*, and the Lady *Jane Dormer* Widow.

The Bill against Usury was read the third time.

Five Bills were sent up to the Lords from the House of Commons, of which the first was the Bill for Conservation of Orders and Uniformity in the Church, and another against Popish Priests disguising themselves in Serving-mens Apparel.

The Bill for keeping Residence in Cathedral Churches was read the first time.

Mr. Henry Knolles Sen., *Mr. Strickland*, *Mr. Mounson*, and *Mr. Telverton*, were appointed to sort the Bills for Religion, in such order and course for proceeding, one before another, as they shall think meetest. *Vide May 17. postea*.

The Bill for *Shrewsbury* was read the third time.

The Committees in the Bill for coming to Church and receiving the Communion (whose names see on *Saturday* the 21th day of this instant *April* preceeding) and the Committees in the Bill for respite of Homage (who were nominated on *Friday* the 27th day of the same Month foregoing) were appointed to meet this Afternoon at two of the Clock in the Temple Church.

The second Bill for Religion was read the second time, and committed unto the Lord President of the Marches of *Wales*, Sir *Thomas Smith*, Sir *Thomas Scott*, Mr. Attorney of the Wards, Mr. *Norton*, Mr. *Greenfeild*, Mr. *Grimston*, Mr. *Smith*, Mr. *Fenner*, and Mr. *Agmordsam*, who were appointed to meet this Afternoon at three of the Clock in the Star-Chamber. *Vide May 17. postea*, what this Bill was.

The Bill for *Bristol* was read the third time, and after long Arguing passed upon the Question.

Mr. Serjeant *Barham* and Mr. Solicitor, brought two Bills from the Lords, the one for the Confirmation of the Attainder of the late Earls of *Northumberland*, and *Westmerland* and others, and the other for reviving and continuance of certain Statutes.

April the 29th *Sunday*.

On *Monday* the 30th day of *April*, Two Bills had each of them their second reading, and were Ordered to be ingrossed; of which the first was the Bill for allowance to be made unto Sheriffs for the Justices Diets.

Two Bills also had each of them their third reading, and were likewise Ordered to be ingrossed; of which the first was the Bill for coming to Church and receiving of the Communion.

On *Tuesday* the first day of *May*, Two Bills of no great moment had each of them one reading; of which the second being the Bill against Fugitives was read the third time, and after many Arguments, passed upon the Question.

Mr. Attorney General and Mr. Doctor *Huick*, did desire from the Lords, that some of this House may attend upon six of the Lords to Morrow Morning for Conference touching the Bill against Priests disguising themselves in Serving-mens Apparel, which was granted; and thereupon were appointed for that purpose Mr. Treasurer, Sir *Thomas Scott*, Sir *Owen Hopton*, Sir *Thomas Lucy*, Sir *Henry Jones*, Mr. Serjeant *Manwood*, Mr. *Cleere*, Mr. *Thomas Browne*, Mr. *Norton*, Mr. *Telverton*, Mr. *Strickland*, Mr. *Mounson*, and Mr. *Thomas Huffy*.

Mr. Serjeant *Barham* and Mr. Attorney General did desire from the Lords, that a convenient number be sent presently unto their Lordships from this House for Answer touching Articles for Religion. Whereupon my Lord Deputy of *Ireland*, Mr. Treasurer and divers others were sent for that purpose, and had with them the four Bills last passed, *viz.* The Bill against Fugitives, The Bill for *Bristol*, The Bill for *William Skeffington*, and the Bill for *Shrewsbury*: And after-

wards returned Answer from the Lords, that the Queens Majesty having been made privy to the said Articles, liketh very well of them and mindeth to publish them, and have them Executed by the Bishops, by direction of her Highness Regal Authority of Supremacy of the Church of *England*, and not to have the same dealt in by Parliament.

Nota, That there was in this Parliament much and long agitation touching the reforming of several enormities and Ceremonies in matters of Religion, which now at last the Queen took out of the hands of the House, and promised other Amendment, as appeareth by the above-mentioned Message sent from the Lords to the said House; although the said matters and agitations were not thereupon deserted, but continued in part, as is more at large observed upon *Thursday* the 17th day of this instant *May* ensuing, where the whole beginning, Progress and Issue of this business is at large collected and digested into an orderly relation.

The Bill for allowance to be made unto Sheriffs for the Justices Diets, was read the third time.

Mr. Solicitor and Mr. Doctor *Lewes* brought from the Lords two Bills, the one against fraudulent Gifts and Conveyances, and the other for Constats and Exemplifications of Letters Patents to be as good and available as Letters Patents themselves.

The Bill of Attainder was read the first time.

Sir *Henry Peirce* Knight was appointed to be heard in this House, with his Learned Council, upon *Saturday* next at two of the Clock in the Afternoon.

The Bill for Constats and Exemplifications of Letters Patents was read the first time.

On *Wednesday* the second day of *May*, Five Bills of no great moment had each of them their first reading.

The Bill for Leases of Benefices (being the fifth Bill of those seven Bills preferred this Parliament, touching the reformation of matters of Religion, and therefore called in the Original Journal-Book of the House of Commons the Bill E) was read the second time and Ordered to be ingrossed. Touching which said Bill and matters of Religion, see a more full and ample Animadversion or Declaration on *Thursday* the 7th day of this instant *May* ensuing.

Mr. Treasurer with the residue of the Commissioners having been with the Lords about the Bill against Priests disguising themselves in Serving-mens Apparel, shewed, that upon Conference therein had with the Lords, their request is, that some of the said Committees might confer with the Queens Majesties Learned Council touching the enlargement and better Explanation of some parts of the same Bill. Whereupon the House liking well of that course of proceeding, it is agreed that the Committees for the Bill against the untrue demeanors of Tellors, Receivers, Treasurers and Collectors, and for the Bill against

against Bulls, &c. procured from the See of Rome, and such like Bills as shall hereafter come from their Lordships, needful to be considered or added unto or altered, shall make request unto the Lords for Conference and privy in that behalf to be had and made with them, as they in the said former Bill have used and done towards this House.

The Bill for respite of Homage was committed unto Sir *Walter Mildmay*, Mr. Serjeant *Lovelace*, Mr. *Mounson*, Mr. *Sampoole*, Mr. *Wilbraham*, Mr. *Popham*, and Mr. *Fenner*, to consider of this Afternoon at three of the Clock at the Rolls, and to deliver it again to the House to Morrow Morning in such sort as now it is, if in the mean time they shall not alter the same, or some part thereof.

On *Thursday* the third day of *May*, Three Bills of no great moment had each of them one reading; of which the first being the Bill for increase of Tillage and maintenance of Navigation, was read the first time.

The Bill for the Order of Ministers (being the second of those seven Bills preferred this Parliament touching the matters of Religion, and therefore called in the Original Journal-Book of the House of Commons the Bill B) was read the fourth time and passed. Touching all which said Bills of matters of Religion see a more ample and full Animadversion or Declaration on *Thursday* the 17th day of this instant *May* ensuing.

The Bill for allowance to be made unto Sheriffs for the Justices Diets, was sent up to the Lords by Mr. Comptroller and others.

The Bill for making *Peregrine Barty* free Denizen was read three times and passed the House; as also the Bill against Usury; after they had been brought from the Lords by Mr. Solicitor and Mr. Doctor *Vaughan*.

It was Ordered that Sir *Nicholas Points* Knight, one of the Knights from the County of *Glocester*, shall have a Writ of Priviledge for his Servant *Thomas Wickham*, being attached in the City of *London* upon two Actions of Trespass, the one at the Suit of *Christopher Temple* Goldsmith, and the other at the Suit of *Fr. Acton* Grocer.

On *Friday* the 4th day of *May*, Two Bills of no great moment had each of them one reading; of which the second being the Bill against Licences and Dispensations granted by the Archbishop of *Canterbury* was read the second time, and committed unto Mr. Treasurer, Sir *Thomas Smith*, Mr. Recorder of *London*, Mr. *Norton*, Mr. *Greenfeild*, Mr. *Eglenby*, Mr. *Strickland*, and Mr. *Telverton*.

The Bill for Fines and Recoveries was read the second time, and Ordered to be ingrossed.

The Bill for coming to Church, and receiving of the Communion, was read the third time, and passed the House.

It was Ordered that the Officer which made the Arrest upon Sir *Henry Clinton's* Servants, and also the party that procured the same, do appear

here to Morrow at ten of the Clock in the Forenoon.

Three Bills lastly had each of them their second reading, and were thereupon Ordered to be ingrossed; of which the first was the Bill for respite of Homage, and the last was for *Southampton*.

On *Saturday* the 5th day of *May*, Three Bills of no great moment had each of them one reading; of which the first being the Bill for the River of *Welland*, was read the second time, and Ordered to be ingrossed.

The Bill for Confirmation of Attainders was read the second time; at which time Sir *Henry Peircy* Knight, with Mr. *Fetiplace*, being of his Learned Council, were present. And *Wednesday* next was given them to be further heard again.

The Bill for respite of Homage was read the third time and sent up to the Lords, with the Bill for the coming to Church and receiving of the Communion, by Mr. Treasurer, Mr. Comptroller, Mr. Chancellor of the Exchequer, Sir *Thomas Scott*, Sir *Francis Hastings*, Sir *William Pawlet*, Sir *John Thinne*, Sir *Owen Hopton*, Sir *Henry Gate*, Sir *William Buts*, Sir *Nicholas Arnold*, Sir *Thomas Lucy*, Sir *Robert Lane*, Mr. *Austley*, Mr. *Stokes*, Mr. Serjeant *Lovelace*, Mr. Recorder of *London*, Mr. *Sampoole*, Mr. *Mounson*, Mr. *Norton*, Mr. *Telverton*, Mr. *More*, Mr. *Henry Knolles*, Mr. *Carleton*, Mr. *Strickland*, Mr. *John Hastings*, and Mr. *Halliard*.

On *Monday* the 7th day of *May*, Three Bills of no great moment had each of them one reading; of which the second being the Bill against Licences and Dispensations granted by the Archbishop of *Canterbury*, was read the second time, and Ordered to be ingrossed.

The Bill for Leases of Benefices, (being the fifth of those seven Bills preferred this Parliament touching the Reformation of matters of Religion, and therefore called in the Original Journal-Book of the House of Commons the Bill E) was read the third time and passed the House. Touching all which said Bills and matters of Religion, see at large on *Thursday* the 17th day of this instant *May* ensuing.

The Provisoos to the Bill against Vagabonds were twice read.

Three Bills lastly of no great moment had each of them one reading; of which the first, being for the increase of Tillage, and maintenance of the Navy, was read the third time, and passed upon the Question.

On *Tuesday* the 8th day of *May*, the Bill for the maintenance of Navigation, was read the second time and committed unto Mr. Treasurer, Sir *John St Leger*, Sir *Owen Hopton*, Sir *Richard Buckley*, Mr. *Holstock*, Mr. *Grimston*, Mr. *Mobhun*, Mr. *John Hastings*, Mr. *Grice*, Mr. *Cromnier*, Mr. *Wilford*, Mr. *Humberston*, Mr. *Pelham*, Mr. *Lieff*, Mr. *Gerby*, Mr. *Gaire*, Mr. *Downing*, Mr. *Norton*, Mr. *Popham*, Mr. *Strickland*, and Mr. *Thornton*, who were appointed to meet at the

the Star-Chamber to Morrow at two of the Clock in the Afternoon.

Three Bills lastly had each of them one reading; of which the last being the Bill for *Southampton*, was read the third time, and passed upon the Question.

On *Wednesday* the 9th day of *May*, the Bill for *Maurice Radney Esq;* was read the second time, and Ordered to be ingrossed.

It was Ordered upon a Motion made by Mr. *Norton*, that upon *Friday* next coming the House do begin to sit at three of the Clock in the Afternoon, and to continue till five; and to every *Monday*, *Wednesday* and *Friday*, until the end of this Session of Parliament; which time to be employed only in the first reading of private Bills.

The Bill against Promoters was read the second time, and Ordered to be ingrossed.

The Bill to avoid corrupt Presentations (being the fourth Bill of those seven preferred this Parliament, touching the reformation of the matters of Religion, and therefore called in the Original Journal-Book of the House of Commons the Bill D) was read the second time, and Ordered to be ingrossed. Touching which Bills and matters of Religion, see a more full Animadversion or Declaration on *Thursday* the 17th day of this instant *May* following.

The Bill against Bulls, &c. procured from the See of *Rome*, was read the second and third time, and passed upon the Question, with a note containing some Additions and Alterations, referring to the Lines.

Mr. Attorney General and Mr. Solicitor, did bring from the Lords the former Bill of Treasons, with a new Proviso, and certain other Alterations, contained in a Paper affixed to the same Bill.

The new Bill against Licences and Dispensations granted by the Archbishop of *Canterbury*, was read the third time, and passed upon the Question.

Two Bills lastly of no great moment, had each of them one reading; of which the second, being the Bill for Fines and Recoveries, with three Provisoes, passed upon the Question.

On *Thursday* the 10th day of *May*, the Bill against Collusions and delays in Vouchers was read the first time.

The Bill touching the Commutation of Penance by the Ecclesiastical Judge (being the last Bill of those seven preferred this Parliament touching the reformation of matters of Religion, and therefore called in the Original Journal Book of the House of Commons the Bill G) was read the first time. Touching which Bill see a more full Animadversion or Declaration on *Thursday* the 17th day of this instant *May* following.

The Bill for the River of *Welland*, was read the third time, and passed upon the Question.

The Bill for preservation of Woods was read the first time, and committed unto Sir *Nicholas*

Arnold, Sir *George Bowes*, Sir *Thomas Scot*, Mr. *Humberston*, Mr. *Moore*, Mr. *Gayer*, Mr. *Wightman*, Mr. *Sampoole*, Mr. *Winchcomb*, Mr. *Robert Snagg*, Mr. *Roper*, Mr. *Comper* and Mr. *Fenner*, who were appointed to meet at the *Temple Church* at two of the Clock this Afternoon. *Vide May 14. postea.*

Nine Bills were sent up to the Lords from the House of Commons by Mr. Treasurer and others; of which one was the Bill for Fines and Recoveries, and another for the River of *Welland*.

The Provisoes to the Bill against Vagabonds were twice read and committed to Mr. *Atkins* and others.

Two Bills also of no great moment had each of them one reading; of which the second being the Bill for *Lestwithiell*, was read the second time and Ordered to be ingrossed.

Forasmuch as *Thomas Long Gent.*, returned one of the Burgesses for the Borough of *Westbury* in the County of *Wilts* for this present Parliament, being a very simple man and of small capacity to serve in that place, did this day in open Court confess, that he did give to *Anthony Garland* Mayor of the said Town of *Westbury*, and unto one *Wats* of the same Town, the sum of four pound, for that place and room of Burgeship; It was Ordered by this House, that the said *Anthony Garland* and the said *Wats* shall forthwith repay unto the said *Thomas Long* the same sum of four pound, and also that a fine of twenty pound be assessed upon the said Corporation or Inhabitants of the said Town of *Westbury* for the Queens Majesties use, for their said lewd and slanderous attempt. And that the said *Thomas Long*, his Executors and Administrators shall be discharged against the said *Anthony Garland* and *Wats*, their Heirs, Executors and Administrators, of and from all Bonds made by the said *Thomas Long* to any person or persons touching the discharge of the exercise of the said room or place of Burgeship in any wise.

Mr. Solicitor and Mr. Doctor *Vaughan* pray from the Lords, that some Members of this House may be presently sent to confer with their Lordships, touching the Bill of Attainders, and the Bill against Bulls, &c. Whereupon were sent unto them Mr. *Heneage*, Sir *Thomas Smith*, Sir *John Thynne*, Sir *Nicholas Arnold*, Sir *Christopher Haydon*, Mr. Recorder of *London*, Mr. *Sampoole*, Mr. *Popham*, and Mr. *Alford*.

On *Friday* the 11th day of *May*, it was Ordered that a Pursuivant be sent with Letters from this House unto *Anthony Garland* Mayor of the Town of *Westbury* in the County of *Wilts*, and *Wats* of the same Town, for their personal appearance forthwith to be made in this House; and also to bring with them all such Bonds, as *Thomas Long* Gentleman, lately returned one of the Burgesses for the same Town, standeth bound in unto them, or either of them, or unto any other to their use. And also to Answer unto such matters as at their coming shall be objected against them by this House.

The

The Bill against Exactions of Collectors of the Tenths of the Clergy was read the first time.

The Bill against Perjury in Clerks Convict, and the Bill for the continuance of the severance of Sheriffs in sundry Shires, were each of them twice read, and Ordered to be ingrossed.

Two Bills also of no great moment had each of them one reading; of which the first, being the Bill for severance of the Sheriffs in the Counties of *Norfolk* and *Suffolk*, was read the second time, and Ordered to be ingrossed.

All the Privy-Council being Members of this House, Sir *Henry Morrice*, Sir *Thomas Scot*, Sir *John Thynne*, Mr. Attorney of the Dutchy, Mr. Attorney of the Wards, Mr. Serjeant *Manwood*, Mr. *Stokes*, Mr. *Bell*, Mr. *Mounson*, Mr. *Thomas Snagg*, Mr. *Telverton*, Mr. *Norton*, Mr. *Dalton*, and Mr. *Rugby*, were appointed to consider amongst themselves this Afternoon, at the Star-Chamber, touching the Bill of Treasons, and then afterwards with the Lords upon further appointment. *Vide plus de ista materia* on *Thursday* the 12th day of *April* foregoing.

Two Bills lastly had each of them one reading; of which the second being the Bill for *Morrice Rodney Esq;*, was read the first time and passed upon the Question.

Post Meridiem.

In the Afternoon ten Bills had each of them one reading; of which the fourth, being the Bill for the maintenance of the Havens of *Plymouth* and *Dartmouth*, &c. and the fifth against the Usurpation of Tinnors in the County of *Devon*, were each of them read the first time, and thereupon committed to Sir *John St. Leger*, and others.

Nota, That these two Bills were committed upon the first reading, which is not usual until the second. *Vide May 14.*

On *Saturday* the 12th day of *May*, the Bill for the Haberdashers was read the second time, and rejected upon the Question.

The Bill for residence of Pastors (being the third Bill of those seven preferred this Parliament touching the Reformation of matters of Religion, and therefore called in the Original Journal-Book of the House of Commons the Bill C) was read the first time. Touching all which said Bills and matters of Religion, see on *Thursday* the 17th day of this instant *May* following.

The Bill for maintenance of Navigation, was read the third time, and passed the House.

Seven Bills were sent up to the Lords from the House of Commons; of which one was the Bill against Usury, and another touching *Morrice Rodney Esq;*.

The Bill of Jeofails was read the second time, and committed unto Mr. Serjeant *Manwood*, Mr. *Thomas Snagg*, Mr. *Sampoole*, and Mr. *Cromwell*.

The Bill against Exactions of Collectors of the Tenths of the Clergy was read the se-

cond time, and Ordered to be ingrossed.

The Bill for the payment of Tithes, was read the first time and rejected upon the Question.

May the 13th *Sunday*.

On *Monday* the 14th day of *May*, the Bill for not returning in Juries persons of the Queens Majesties Household, was read the second time, and committed unto Mr. Treasurer, Sir *John Thynne*, Mr. *Cofferer*, Mr. *Brown*, Mr. *More*, and Mr. *Ferrers*.

The Bill for Residence of Pastors (being the third of those seven Bills preferred this Parliament touching the reformation of matters in Religion, and therefore called in the Original Journal-Book of the House of Commons the Bill C) was read the second time and Ordered to be ingrossed. Touching which Bill and matters of Religion see a more full Animadversion or Declaration on *Thursday* the 17th day of this instant *May* following.

The Bill against Vagabonds, and the first Bill for preservation of Wood, were Ordered to be ingrossed.

The Bill for Conveyances and Assurances of Lands to be made without Covin, was read the second time, and committed unto Mr. Recorder of *London*, Mr. *Marsh*, Mr. *Stanhop*, Mr. *Grice*, Mr. *Sampoole*, Mr. *Norton*, Mr. *Alford*, and Mr. *Dalton*, who were appointed to meet in the *Temple Church* at two of the Clock this Afternoon.

Mr. Solicitor and Mr. Attorney brought from the Lords four Bills; of which the two last were, one for the Restitution in Blood of the Children of Sir *Thomas Wyat*, and the other for the Assurance of the Jointure of the Lady *Barkley*.

Three Bills had each of them their third reading, and passed upon the question; of which the last was the Bill against the Exaction of Collectors of the Tenths of the Clergy.

The Bill lastly, for severance of the Sheriffs in the Counties of *Bedford* and *Buckingham*, were read the second time, and thereupon Ordered to be ingrossed.

Post Meridiem.

Four Bills of no great moment had each of them one reading; of which the first being the Bill concerning Hospitals, and the third for Planting of Hops, were each of them read the first time; and the second, being the Bill against great Hosen, was read the first time, and committed unto Sir *Christopher Heydon*, Sir *William Buts*, Mr. *Stokes*, Mr. *Moore*, Mr. *Warncomb*, Mr. *St. John*, Mr. *Gare*, Mr. *Humberston*, Mr. *Layton*, and Mr. *Sackerston*. Which is the rather to be observed, in respect, that this Bill was committed upon the first reading, which is not usual until the second; of which there were three like Presidents, viz. one on *Thursday* the 10th day, and two on *Friday* the 11th day of this instant *May* foregoing.

The Bill for making of *William Watson* a free Denizen

Denizen was twice read; and the Bill lastly for *Liverpool* was read the first time.

On *Tuesday* the 15th day of *May*, the Bill against *Wednesdays* was read the first time.

The Bill touching the Commutation of Penance by the Ecclesiastical Judge (being the last of those seven Bills preferred this Parliament touching the Reformation of matters of Religion, and therefore called in the Original Journal-Book of the House of Commons the Bill G) was read the second time, and Ordered to be ingrossed. Touching which Bill and matters of Religion see more at large on *Thursday* the 17th day of this instant *May* following.

Three Bills also of no great moment had each of them one reading; of which the last being the Bill for Confirmation of Attainders was read the third time, and passed the House.

The Proviso for the Countess of *Cumberland* and others to the Bill for Confirmation of Attainders, was thrice read: And further Ordered by the House, that the Saving for Sir *Henry Percy* Knight, shall be placed in the Book before the general saving, without any alteration or change of any word or words at all.

The Bill for Confirmation of Attainders, with the other last passed, were sent up to the Lords from the House of Commons by M^r Treasurer and others.

The Bill for the Restitution in Blood of the Children of Sir *Thomas Wyat* Knight, was read the third time.

The Bill lastly for the continuance of the severance of Sheriffs in sundry Shires, was read the third time, and passed upon the Question.

On *Wednesday* the 16th day of *May*, the Bill against *Wednesdays*, was read the second time and Ordered to be ingrossed.

The new Bill against great Hofen, and a new Bill of Jeofails, were each of them read the first time.

M^r Attorney General and M^r Doctor *Vaughan* brought from the Lords the Bill for Confirmation of Attainders, for mending of an Indorsement.

Three Bills of no great moment had each of them one reading; of which the third being the Bill against Collusions and Delays in Vouchers, was read the second time, and Ordered to be ingrossed.

M^r Attorney General and M^r Doctor *Huick* did require from the Lords to have the Committees in the Bill for Treasons presently sent to them for Conference.

The Bill for Residence of Pastors (being the third of those seven Bills preferred this Parliament touching matters of Religion, and therefore called in the Original Journal-Book of the House of Commons the Bill C) was read the third time, and upon the Division of the House dashed.

M^r Doctor *Huick* and Mr. Doctor *Yale*, did bring from the Lords a Bill against Bankrupts, with Commendations for the expediting thereof.

Post Meridiem.

In the Afternoon the Bill for search of Fairs of *Maidston* in *Kent*, was read the first time.

Mr. Solicitor and Mr. Doctor *Huick* brought from the Lords the Bill against Bulls, &c. and the Bill for Treasons, both reformed, as appeareth in several Papers annexed, containing the places and words of Amendments.

Seven Bills of no great moment had each of them one reading; of which the fourth being a new Bill for the maintenance of the Havens of *Plymouth* and *Dartmouth*, &c. was read the second time.

On *Thursday* the 17th day of *May*, Two Bills of no great moment had each of them their second reading, and Ordered to be ingrossed; of which the second was the Bill against Cloth-workers.

The Bill against Cloth-workers was read the second time, and Ordered to be stayed.

Sir *Walter Mildmay*, Sir *Thomas Smith*, Mr. Serjeant *Lovelace*, Mr. *Bell*, Mr. *Mounson*, Mr. *Popham*, Mr. *Sampool*, Mr. *Sands*, and Mr. *Telverton*, were appointed to have Conference with the Lords touching the Bill for respite of Homage, in the outer Chamber of the Upper House at two of the Clock this Afternoon.

The Bill for Sewers was read the first time.

The Bill against Bulls, and the Bill for Treasons were upon the Question absolutely passed with all the Additions and Amendments.

The Bill also against *Wednesdays*, and the Bill against Collusion and delays in Vouchers, were each of them read the third time, and passed the House.

The Bill touching the Commutation of Penance by the Ecclesiastical Judge (being last of those seven Bills preferred this Parliament touching Reformation of matters of Religion, and therefore called in the Original Journal-Book of the House of Commons the Bill G) was read the third time and passed.

Because the great matter touching Religion and Church Government (of which the passing of the aforesaid Bill is the last passage mentioned in the Original Journal-Book of the House of Commons) was so Religiously begun by the said House in the former Sessions of Parliament, in *An. 8 Regin. Eliz.* and so zealously prosecuted in this present Parliament *de an. 13 Regin. Eliz.* therefore it shall not be amiss here to set down at large, once for all, the whole proceeding of the same, although all in the Issue was dashed by her Majesty, perswaded unto it (as it should seem) by some sinister Counsel. The first step therefore unto this business, was upon *Thursday* the 5th day of *December* in the said former Session of Parliament in the said eighth year of her Majesty, when the Bill with the Articles Printed 1562. for sound Christian Religion had its first reading; which in the Original Journal-Book of the House of Commons in this present Parliament

ment is always called the Bill A, and in the margin of the said Journal in *an. 8.* the said Letter A is expressed over against the title of the said Bill. A second step then followed in this their intended Reformation upon *Friday* the 6th day of *December* in the said Session *de an. 8 Regin. Eliz.* when all these Bills following had each of them their first reading, being there inserted in manner and form following, the words only [the first reading] being added instead of the Figure or Number [1.] set down in the margin.

B. The Bill for the Order of Ministers, the first reading.

C. The Bill for residence of Pastors, the first reading.

D. The Bill to avoid corrupt Presentations, the first reading.

E. The Bill for Leases of Benefices, the first reading.

F. The Bill for Pensions out of Benefices and Leases of Benefices, the first reading.

All which several Bills are no otherwise stiled in the Original Journal-Book of the House of Commons in this present Parliament, than the Bill B, the Bill C, &c. and therefore without recourse to the aforesaid Journal of the same House in *an. isto prædicto 8 Regin. Eliz.* it could not have been possibly herein understood what had been intended thereby. Which last mentioned five Bills had no further progress in the said Session of Parliament, by reason that it was Dissolved soon after on *Thursday* the second day of *January*, but only the first before-cited Bill, called the Bill A, had its second reading on *Thursday* the 10th day, and its third and last reading on *Friday* the 13th day of *December* in the same Session. After which the said Bills so rested until the beginning of this present Parliament in *an. 13 Regin. Eliz.* when upon *Friday* the 6th day of *April* foregoing these six Bills foregoing were again presented to the House, and a seventh Bill also, as is very probable, which was not at all read in the aforesaid last Session in *An. 8 Regin. Eliz.* which was the Bill read the third time this present day, touching the Commutations of Penance by the Ecclesiastical Judge, and is always stiled in the Original Journal-Book of the House of Commons the Bill G. And thereupon all the said seven Bills touching Religion were referred to Committees to consider of them. And on the day following, being *Saturday*, and the seventh day of the same Month, the said Bills were read. The first Bill of them stiled the Bill A, was delivered to the foresaid Committees, or Commissioners, and the residue appointed to remain in the House, and that to stand for no reading of any of them. Which great Caution doubtless the House of Commons did the rather observe in their proceeding with these Bills touching the Reformation of matters of Religion and Church Government, because they desired her Majesty might the more graciously interpret their endeavours, and give way to the passing of the said Bills. To which purpose also the

House appointed two of their Members before their rising that very day, to have their furtherance also for the same; who returned their Answer on *Thursday* the 10th day of the same Month, and advised the House of Commons to pray a Conference with the Lords for that purpose; which was accordingly had in the Afternoon of the same day. And that day also the second of the said seven Bills, stiled the Bill B, had its first reading, and was read the second time on *Saturday* the 28th day of *April*, and the third time on *Monday* the 30th day of the same Month. On the Morrow after the foresaid 10th day of *April*, being the 11th day of the same Month, and *Wednesday*, the Bill D had its first reading, being the fourth of the aforesaid seven Bills touching Religion: And on *Wednesday* the 9th day of *May* its second reading. And on *Saturday* the 12th day of *May* the Bill C, being the third of the said seven Bills, had its first reading, and its second reading on *Monday* the 14th day, and its third reading on *Wednesday* the 16th day of the same Month. The Bill E also, being the 5th of the said seven Bills, had its first reading on *Friday* the 13th day of *April*, its second on *Wednesday* the second day, and its third on *Monday* the 7th day of *May*. For the Bill F it appeareth not by the Original Journal-Book of the House of Commons, that it was at all read, although it concerned Pensions out of Benefices, and Leases of Benefices. For the Bill G lastly, which was the seventh of the aforesaid Bills touching Religion, it had its first reading on *Thursday* the 10th day of *May*; its second on *Tuesday* the 15th, and the third on this instant *Thursday*, being the 17th day of the same Month, as is before set down. Although it is to be observed, that some of the readings of the aforesaid Bills are omitted upon some of the said days as matters of no great moment. Of which Bills also there was some treating on *Wednesday* the 25th day, and on *Saturday* the 28th day of *April* foregoing. But her Majesty on *Thursday* the first day of *May*, by the Lords of the Upper House, declared unto the Committees of the House of Commons, who afterwards declared it to the House it self that she approved their good endeavours, but would not suffer these things to be Ordered by Parliament. Notwithstanding which Message, as appeareth by the reading of some of the said seven Bills afterwards, the House of Commons still proceeded, and having passed two of the said Bills, *viz.* the Bills B and C, on *Wednesday* the 16th day of *May* foregoing, and the Bill G this present *Thursday*, as is aforesaid, they sent them up to the Lords by M Comptroller and others, as soon as the said Bill G had passed the House.

All the Bills last passed except that for severance of Sheriffs of sundry Shires, were sent to the Lords by M^r Comptroller and others.

Three Bills lastly of no great moment had each of them one reading; of which the second being the Bill against great Hosen, was read the second time and committed.

On *Friday* the 18th day of *May*, Two Bills of no great moment had each of them one reading; of which the first being the Bill for the Free Grammar-School in *Southmark*, was read the second time, and Ordered to be ingrossed.

The Bill against great Hofen was read the third time, and upon the division of the House, with the advantage of one man, it was Ordered that the Clause for disabling the wearer to prosecute or commence any Suit, shall be allowed to be in the Bill in manner and form as in the Bill is contained.

The Bill for the preservation of Woods, &c. was read the third time, and upon the division of the House passed.

Post Meridiem.

This day in the Afternoon eleven Bills of no great moment had each of them their first reading; of which the first was the Bill for the Free-School of *Bletchingly*, and the second for *John Tirrell*.

On *Saturday* the 19th day of *May*, the Bill against the bringing into this Realm of Foreign Wares forbidden, was twice read, and Ordered to be ingrossed.

Two Bills also of no great moment had each of them one reading; of which the first, being the Bill for the twelve Shires of *Wales*, was read the second time; but no mention is made that it was either referred to Committees or Ordered to be ingrossed, which is usual upon the second reading.

Mr Doctor *Lewes* and Mr Doctor *Tale*, did bring from the Lords seven Bills, whereof one was to License the Earl of *Leicester* to found an Hospital; another for the Restitution in Blood of *Henry Brereton* Esq; another against fraudulent gifts to defeat Dilapidations; another against corrupt Presentations to Benefices; another against Simony; another for the River of *Welland*, and another for the coming to Church, and receiving the Communion. All which Bills are particularly transcribed, in respect that the sending down of them to the House of Commons is wholly omitted in the Original Journal-Book of the Upper House.

The Bill for preservation of Wood, and the Bill against Vagabonds were sent up to the Lords by Mr Treasurer, and others.

Mr. Doctor *Lewes* and Mr. Doctor *Tale* brought from the Lords three Bills; one against Fugitives, another for *Southampton*, and another for Confirmation of a Subsidy of the Clergy.

All the Privy-Council being of this House, my Lord President, Sir *Nicholas Arnold*, Sir *Owen Hopton*, Mr. *Stokes*, Mr. *Mounson*, Mr. *Bell*, Mr. *Yelverton*, Sir *Francis Hastings*, Sir *Henry Knolles* Sen., Mr. *Edward Hastings*, Mr. *Strickland*, Mr. *Carleton*, Mr. *More*, Mr. *Norton*, and Mr. *Dalton*, were appointed to confer with the Lords touching the Lords Bill, for coming to Church and receiving of the Communion.

May the 20th *Sunday*.

On *Monday* the 21th day of *May* the Bill for Confirmation of the Subsidy granted by the Clergy was read three times.

The Bill also for reviving and continuance of certain Statutes, was read the second time; but no mention is made that it was either Ordered to be ingrossed or referred to Committees, as was only this day a Bill against Bankrupts.

It was this day Ordered, that the Court do from henceforth every day during this Sessions sit in the Afternoon, and proceed as well to the second reading of Bills as to the first.

The Proviso to the Bill for reviving and continuance of Statutes, and the Proviso to the Bill against buying of the Wares for Apparel without ready money, were each of them twice read.

The Bill for the twelve Shires of *Wales*; was Ordered to be ingrossed.

The Bill for limitation of the Subsidy of the Clergy was sent to the Lords by Mr. Comptroller and others.

The Bill against Bankrupts was read the second time.

Nota, That this Bill having formerly passed the Upper House, was sent down from them to the House of Commons on *Wednesday* the 16th day of this instant *May* foregoing; And therefore now upon the second reading, is neither Ordered to be ingrossed, nor referred to the Committees: for it being sent down fairly ingrossed in Parchment from the said House after it is passed, unless the Bill be wholly dashed, or much altered, it shall need no other ingrossing. And for referring a Bill to Committees, it is chiefly for amendment or alteration thereof, after it hath been penned, and put into the House by some one or more private men. But when a Bill hath once passed the Upper House, in which besides the Lords the greater part of the Judges of the Realm are commonly Assistants, there shall need no consideration thereof either for Addition or mutation; for either House doth ever, for the most part, shew it self so careful to keep firm correspondency with the other, as that when a Bill hath passed either of the said Houses and is sent to the other, it doth for the most part pass, and is neither dashed, nor altered, without very great cause upon mature deliberation, and usually also not without Conference desired, and had thereupon; that so, full satisfaction may be given to that House from which the Bill so rejected, or altered was sent. Of which the Presidents are so frequent in every Journal of her Majesties Reign, as there shall need no further reference or Citation.

Mr. Doctor *Lewes* and Mr. Doctor *Vaughan*, brought from the Lords three Bills; one for Pastors to be of sound Religion; another that no Hoves or Plate shall cross the Seas, and another that no Purveyor shall take any Victuals within five Miles compass of the Universities of *Oxford* and *Cambridge*.

Mr.

Mr. Treasurer, Sir Christopher Heydon, Sir Henry Gate, Sir Valentine Brown, Mr. Hawkins, Mr. Grice, Mr. Holstock, Mr. Langley, Mr. Humberston, Mr. Holliard, Mr. Sampoole, Mr. Boynton, Mr. Palmer, Mr. Grimston, Mr. Haffett, and Mr. Vaughan, were appointed to confer this Afternoon with the Lords touching the Bill for increase of Tillage and maintenance of the Navy.

Three Bills of no great moment had each of them their third reading, and passed the House; of which the first was the Bill for the Free Grammar-School of *Southmark*.

The Bill that no Hoy or Plate shall cross the Seas, was read the first time.

Post Meridiem.

In the Afternoon five Bills of no great moment had each of them their second reading, and were Ordered to be ingrossed; of which the first was the Bill for the removing of the Grammar-School from *Laughton* to *Gainsborough*.

The Bill to License the Earl of *Leicester* to found an Hospital; and the Bill for Restitution in Blood of *Henry Brereton* Esq;, were each of them read twice, being the first and second time.

The Bill against fraudulent gifts to defeat Dilapidations, was read the first time.

The Bill lastly, for the Restitution in Blood of the Children of Sir *Thomas Wyat* Knight, and the Bill for the severance of the Counties of *Huntington* and *Cambridge*, were each of them read the second time: But neither Ordered to be ingrossed, nor referred to Committees, because they had been sent from the Lords.

On *Tuesday* the 22th day of *May*, Two Bills of no great moment had each of them one reading; of which the first, being the Bill for *John Tirrell* Esq;, was read the second time, and Ordered to be ingrossed.

Mr. Doctor *Lewes* and Mr. Doctor *Yale* brought from the Lords two Bills; one against the untrue Demeanours of Tellors, Receivors, Treasurers, and Collectors; and another for Treasons newly written, and truly examined by the former Book thereof lately passed this House, to the end the same may likewise be Examined by this House, and so then pass accordingly.

Mr. Doctor *Vaughan* and Mr. Doctor *Yale*, did pray from the Lords that this House would send unto them such Bills as are already passed this House, for that their Lordships do tarry for them: and thereupon five Bills were sent unto them, by Mr. Chancellor of the Dutchy and others; of which one was the Bill for the River of *Wel-land*.

The Bill for coming to Church and receiving the Communion, was Ordered upon the Question to be general as to the body thereof.

Post Meridiem.

In the Afternoon the Bill against taking of any Grain or Victual within five Miles compass of the Universities of *Oxford* and *Cambridge*, was read the first time.

Mr. Attorney General and Mr. Doctor *Huick*, brought from the Lords a Bill against the Oppression of common Promoters.

Four Bills lastly of no great moment had each of them one reading; of which the first, being the Bill against fraudulent gifts and Conveyances for defeating of Dilapidations, and the third for Sewers, were each of them read the second time: but no mention is made that they were either Ordered to be ingrossed or referred to Committees, because they had been sent from the Lords.

On *Wednesday* the 23th day of *May*, Five Bills of no great moment had each of them their third reading, and passed the House; of which the first was the Bill for the paving of the street without *Aldgate*.

The Bill that no Hoy or Plate shall cross the Seas, was read the second time, but neither ingrossed nor committed, because it had been sent from the Lords.

Two Bills also had each of them their third reading; of which the second was the Bill for the removing of the Grammar-School from *Laughton* to *Gainsborough*.

All these Bills which passed this Day, were sent up to the Lords by Mr. Treasurer and others.

Mr. Attorney General and Mr. *Richard Read*, did bring word from the Lords, that their Lordships prayed Conference with some of this House, touching the Bill for preservation of Timber and Woods, the Bill against Vagabonds, and the Bill for continuance of Statutes: Whereupon were sent unto them the former Committees in the Bill for coming to the Church, and receiving the Communion, whose names see on *Saturday* the 21th day of *April* foregoing.

Three Bills lastly had each of them their third reading, and passed the House; of which the second was the Bill for Restitution in Blood of the Children of Sir *Thomas Wyat* Knight.

Post Meridiem.

In the Afternoon six Bills of no great moment had each of them one reading; of which the first being the Bill for the Jointure of the Lady *Berkley*, and the fifth against taking of any Grain or Victual within five Miles compass of the Universities of *Oxford* or *Cambridge*, were each of them read the second time; but neither Ordered to be ingrossed, nor referred to Committees, because they had been formerly sent from the Lords.

On *Thursday* the 24th day of *May*, the Bill against the untrue Demeanors of Tellors, Recei-

vors, Treasurers and Collectors, was read the second time; but neither Ordered to be ingrossed nor referred to Committees. *Vide consimile* May the 22th Tuesday foregoing.

The Bill for Sewers was read the third time, and a Proviso added to the said Bill was thrice read; whereupon the Bill passed the House.

The Bill also against Bankrupts, and the Bill that no Hoves nor Plate shall cross the Seas, were each of them read the third time, and passed the House.

All the Bills which last passed the House were sent to the Lords by Mr Treasurer and others.

The Bill for the reviving and continuance of Statutes was read the third time.

Mr Serjeant *Barham* and Mr Doctor *Huick*, did bring from the Lords a Bill for bringing the River of *Lee* to the North-side of the City of *London*.

Mr Doctor *Lewes* and Mr Doctor *Tale*, did bring word that the Lords pray present Conference with three or four of this House, touching the amendments of the Bill for coming to Church and receiving the Communion; and thereupon were sent Mr Treasurer and others.

The Bill for not paying for Wares sold for Apparel without ready money, was upon the Question Ordered to be rejected, and not to be revived or any longer continued.

The Bill for carrying out of Leather beyond the Seas, was likewise upon the Question Ordered to be rejected or discontinued.

Post Meridiem.

In the Afternoon two Bills of no great moment had each of them their third reading, and passed the House; of which the first was the Bill for Restitution in Blood of *Henry Brereton Esq*;

The Bill for maintenance of Tillage was upon the Question Ordered to be revived and continued in such sort as in the Bill for the reviving and continuance of Statutes is contained.

The Proviso to the Bill against Regrators, Foretallers and Ingrossers mentioned in the said Bill of Reviver, was read the third time, and passed the House.

An Addition to the old former Statute for preservation of Woods, was read the second time.

Mr Doctor *Tale* and Mr Doctor *Vaughan*, brought from the Lords two Bills; the one for coming to Church and receiving the Communion, and the other for the severance of the Sheriffs in the Counties of *Bedford* and *Buckingham*, with some amendments: and did also require, that six of this House may presently confer with the Lords touching the Bill against Bankrupts.

The Bill for reviving and continuance of certain Statutes was passed upon the Question with some Additions and some Subtractions.

On Friday the 25th day of May, Mr Treasurer, Mr Chancellor of the Exchequer, Sir *Thomas Scott*, Sir *Henry Morrice*, Mr Serjeant *Manwood*, Mr. *Mounson*, Mr. *Norton*, Mr. *Alford*, Mr.

Cromwell, Mr. *Thomas Snagg*, Mr. *Bedle*, Mr. *Nicholas St Leger*, and Mr. *Sands*, were appointed to have Conference with the Lords touching the Bill against Fugitives.

The Bill against taking of any Grain or Victuals within five Miles of the City of *London*, was read the third time and passed the House.

Mr Attorney General and Mr Doctor *Vaughan* brought from the Lords three Bills; one for the Incorporation of both the Universities; another for the Incorporation of *Weymouth* and *Melcomb Regis* in the County of *Dorset*; and another for the increase of Tillage, and maintenance of the Navy; with recommendations from the Lords of the Bill against taking of any Grain or Victual within five Miles compass of the Universities of *Oxford* or *Cambridge*, like as their Lordships had done on their parts upon like request of this House in the said Bill concerning Tillage and the Navy.

Mr Attorney General and Mr Doctor *Huick* brought word, that the Lords pray Conference with some of this House at two of the Clock this Afternoon, touching the Bill for the twelve Shires of *Wales*, and also present report of the Committees of this House, touching the Bill against Bankrupts.

My Lord Deputy of *Ireland*, Mr Comptroller, Sir *Nicholas Arnold*, Mr Attorney of the Dutchy, Sir *Henry Jones*, Sir *George Blunt*, Mr. *William Gerrard*, and Mr. *Bassett*, were appointed to attend upon the Lords touching the Bill of the twelve Shires of *Wales*.

The Bill against the taking of any Grain or Victual within five Miles compass of the Universities of *Oxford* and *Cambridge*, being a Bill sent from the Lords, and specially recommended from them, having at the third reading thereof an Addition or amendment in paper upon the Question affiled unto it, the said Addition or amendment then having been but once read, the Bill was put to the Question, and the House thereupon divided; and afterwards the error aforesaid being found, it was after sundry motions Ordered upon another Question, that the said Addition or amendment being three times read, the Bill should go to the Question again; which being so done, the Bill afterwards passed upon the division of the House accordingly.

Post Meridiem.

In the Afternoon the Bill for the maintenance of the Havens of *Plymouth* and *Dartmouth*, &c. was read the third time, and passed the House.

Sir *Thomas Smith*, Sir *William Pawlet*, Sir *Francis Hastings*, Mr. *Heneage*, Mr. Recorder of *London*, Mr. *Stokes*, Mr. *Thomas Browne*, Mr. *Hussy*, Mr. *John Hastings*, Mr. *Thomas Snagg*, Mr. *Strickland*, and Mr. *St John*, were appointed to have Conference with the Lords touching the Bill against corrupt Presentations.

The Bill for the Incorporation of the Towns of *Weymouth* and *Melcomb-Regis*, and the Bill for the increase

increase of Tillage and maintenance of the Navy were each of them twice read.

Mr. Comptroller, Sir Christopher Haydon, Sir Thomas Russell, Sir William Pawlet, Sir Nicholas Arnold, Sir Henry Gate, Mr. Baynton, Mr. Grice, Mr. Strickland, Mr. Seckerston, Mr. Cleere, Mr. John Horsley, Mr. Stanhop, Mr. Hafler, Mr. Edgcomb, and Mr. Latou, were appointed to

And here the whole matter breaks off abruptly in the Original Journal-Book of the House of Commons, through the negligence of *Fulk Onslow Esq;* Clerk of the same: but it is most probable, that these Committees were nominated in the Bill last before-mentioned, upon the first and second reading thereof.

On Saturday the 26th day of May, the Bill for the River of *Lee* was read the first time and referred to be considered of by Mr Comptroller of the Dutchy, Mr Wilson, the Master of Requests, Sir Henry Gate, Sir John White, Mr Moore, Mr Halstock, Mr Grimston, Mr Baghe, Mr Robert North, Mr Henry Cock, Mr Dacre, Mr Norton, Mr Humberston, and Mr Bowyer.

The Bill against the untrue Demeanors of Tellors, Receivors, Treasurers and Collectors, was read the third time and referred to be considered of by Mr Treasurer, Mr Chancellor of the Exchequer, Sir Nicholas Arnold, Sir Humphrey Gilbert, Mr Heneage, Mr Recorder of London, Mr Sampoole, Mr. Humberston, Mr. Bedle, Mr. Norton, Mr. Ireby and Mr. Thomas Brown.

The Bill for Incorporating of both the Universities of Oxford and Cambridge, was twice read.

Mr. Doctor Lewes and Mr. Doctor Huick, brought from the Lords one Bill touching the limitation, reviving and continuing of Statutes.

The Bills which lastly passed in this House, were sent to the Lords by Mr. Comptroller and others.

The Bill for the Incorporating of the Towns of *Weymouth* and *Melcomb-Regis*, was read the third time and passed the House.

Post Meridiem.

In the Afternoon Mr. Doctor Lewes and Mr. Doctor Vaughan, brought from the Lords one Bill touching the limitation of Fees for Councellors and others towards the Law, which was specially recommended from the Queens Majesty.

Mr. Doctor Tale and Mr. Doctor Vaughan, brought from the Lords the said former Bill Indorsed, for that the same was delivered without Indorsement.

Mr. Solicitor and Mr. Doctor Tale did desire from the Lords, that six of this House be presently sent unto them of those which did yesterday confer with their Lordships touching the Bill against Fugitives.

Four Bills lastly of no great moment had each of them one reading; of which the second being the Bill for increase of Tillage, and maintenance of the Navy, was read the third time and passed upon the Question.

May the 27th Sunday.

On Monday the 28th day of May, the Bill for the Jointure of the Lady Berkley, was read the third time, and passed the House.

The Provisoos to the Bill for the River of *Lee*, were thrice read and passed with the Bill upon the Question, and sent up to the Lords by Mr. Chancellor of the Dutchy and others.

The Proviso to the Bill for the Jointure of the Lady Berkley was thrice read and passed with the Bill upon the Question, and sent up to the Lords by Mr. Treasurer and others.

Sir Richard Read and Mr. Doctor Vaughan, brought from the Lords the Bill for John Tirrell Esquire, with certain amendments.

Mr. Doctor Lewes and Mr. Doctor Huick brought word, that the Lords desire to have six of this House to confer with them presently touching the severance of the Sheriffs in the Counties of *Surrey* and *Suffex*. Whereupon Mr. Thomas Brown, Mr. Moor, Mr. Palmer, Mr. Comper, Mr. Morley, and Mr. Bowyer, were appointed and sent to them accordingly.

Mr. Doctor Lewes and Mr. Doctor Tale, did desire from the Lords to know the mind of this House, whether this House can be contented to leave *Surrey* and *Suffex* out of the Bill for severance of Sheriffs, if there Lordships shall so think meet: which being opened to the House, it was upon the Question Ordered, that they shall be left out, if the Lords so will.

All the Privy-Council being Members of this House, Sir Nicholas Arnold, Sir Thomas Scott, Sir Thomas Lucy, Sir Humphrey Gilbert, Mr Recorder of London, Mr Mounson, Mr Yelverton, and Mr Robert North were, upon some Speeches uttered to this House, that some of the Members of this House should take money for their Voices, appointed to meet this Afternoon in the Star-Chamber, and to Examine what persons, being Members of this House, have taken any Fees or Rewards for their Voices, in the furtherance or hinderance of any Bills offered in this House, and then afterwards to make report of the particularities thereof unto this House accordingly. *Vide* the residue of this business on the next day following.

Post Meridiem.

In the Afternoon the Bill for shooting in Hand-Guns and Harquebuses, was read the second time and Ordered to be ingrossed.

Mr. Doctor Lewes and Mr. Doctor Huick, brought from the Lords the Bill against untrue Demeanors of Tellors, Receivors, Treasurers and Collectors, with a new Proviso; and the Bill for severance of Sheriffs in sundry Counties, *Surrey* and *Suffex* being left out.

The Bill for Councellors Fees was read the third time.

Mr. Doctor Huick and Mr. Doctor Vaughan, brought from the Lords the Bill for the River of *Lee*, with some Additions and Amendments.

Sir

Sir Walter Mildmay, Sir Thomas Smith, Sir John Thynne, Mr Wilson, Master of the Requests, Mr Heneage, Mr Recorder, Mr Mounson, Mr Yelverton, and Mr Bembrick, were appointed to meet here in the Chamber to Morrow in the Morning at seven of the Clock, to consider of the Bill for Councillors Fees.

On *Tuesday* the 29th day of *May*, Mr Serjeant Barham and Mr Doctor Huick, brought from the Lords the Bill of the Queens Majesties General and free Pardon.

The Committees for Examination of Fees or Rewards taken for Voices in the House reported, That they cannot learn of any that hath sold his Voice in this House, or any way dealt unlawfully or indirectly in that behalf, and thereupon Mr Norton declaring, that he heard that some had him in suspicion, justified himself, and was upon the question purged by the Voice of the whole House, and their good opinion of him, and of his honest and dutiful dealing and great pains taking in the service of this House, were in very good and acceptable part declared and affirmed by the like Voice of the whole House.

The Bill for shooting in Hand-Guns and Harquebuses, was read the third time and passed the

House. And the Bill also for the Queens Majesties most gracious and free Pardon was read.

Post Meridiem.

In the Afternoon the Bill for Councillors Fees (the third reading being yesterday accomplished) was now passed upon the Question.

All the Bills passed were sent up to the Lords by Mr Treasurer and others. After which the manner of the Conclusion of the Parliament is Entred in the Original Journal-Book of the House of Commons *Verbatim* as followeth:

About four of the Clock this Afternoon the Queens Majesty being set in her Royal Seat in the Upper House, Mr Speaker made his Oration, presented unto her Highness the Book of the Subsidy, and in the name of the whole House gave her Majesty most humble thanks for her Highness General and free Pardon; And prayed her Majesties Royal Assent unto such Acts and Laws as had passed both the Houses in this Sessions. Whereupon her Highness gave her Royal Assent unto forty one Acts, and so Dissolved this present Parliament.

THE

THE JOURNAL OF THE House of LORDS.

The Journal of the Passages of the House of Lords, in the Parliament holden at Westminster, An. 14 Reginae Eliz. A. D. 1572, which began there on Thursday the 8th Day of May, and then and there continued until the Adjournment thereof on Monday the 30th and last Day of June next ensuing.

THIS Session of Parliament held in *An. 14 Reginae Eliz.* although it lasted no long time, yet it containeth in it a great deal of extraordinary matter touching the Proceeding of the House in the business of the Scottish Queen; and towards the Conclusion thereof touching the Priviledge of the Members of the same: and that which doth yet somewhat the more enlarge and beautifie it, is the Addition of Sir *Nicholas Bacon's* Speech, being the Lord Keeper of the Great Seal, on the first day of this Session. But howsoever this said Session were in it self short in Continuance, yet considering the two other following Sessions, which with it made but one and the same Parliament, and that the longest of any in this Queens time, it will not prove unworthy (although the afore-said extraordinary passages wanted) of a careful and methodical setting down. For the second Session being held in *An. 18 Reginae Eliz.* and the third and last Session in *An. 23 Reginae ejusdem*, it was continued by many Adjournments and Prorogations (although the House sate but a part of the time) until the final Dissolution thereof upon the 19th day of *April* in *An. 25 Reginae predictae*, after it had lasted about the space of eleven years.

On *Thursday* the 8th day of *May*, according to the Writ of Summons that had been sent forth dated at *Greenwich* the 5th day of *May*, in the fourteenth year of the Queen, the Parliament held.

Nota, That the Writ of Summons is set down in the Original Journal-Book of the Upper House to have born date the 5th day of *May* in

this fourteenth year, and the Parliament to have begun on the 8th day of *May* in the same year of the Queen, but three days after the Writ of Summons it self, which is impossible; and it is plain, that the day of the beginning of the Parliament cannot be mistaken, because according to that all the other days through the whole Journal-Book do follow in due form and order: and therefore it is very probable, that the date of the Writ is set down contrary to the Originals themselves, which were dated the 5th day of *March*, and that the Clerk might mistake. This is likewise very conjecturable in respect that the name of the Month being set down and perhaps abbreviated, it was easily written *May* for *March*, and so this incongruity is only the slip and error of the Clerk.

The Queens Majesty was doubtless present herself this day in the Upper House, and was attended by Sir *Nicholas Bacon* Lord Keeper of the Great Seal, and divers Lords Spiritual and Temporal; but in the Journal-Book of the Upper House there is no mention made who were present this day, only it may be guessed by the names of such as the said Original Journal-Book setteth down to have been present on *Monday* the 12th day of this instant *May* following, which is the first day on which the presence of any Lords is marked, according to the usual form by the Clerk of the Parliament.

Neither can it possibly be collected or gathered by the Original Journal-Book of the Upper House, or House of Commons, whether her Majesty was present or no. For as concerning the Journal of the House of Commons it appeareth only, that divers of the Knights, Citizens and Burgeses

Burgesſes of the ſaid Houſe of Commons did this day take the Oath in that Caſe accuſtomed. And therefore the chief ground I had to conclude that her Maſteſty was this day perſonally in the Upper Houſe, was a Copy I had by me of the Lord Keepers Speech made there this day in the publick Aſſembly of both Houſes, in the end of which he gives direction to the Houſe of Commons to Eleſt their Speaker; which ſhews alſo that the ſaid Speech in divers Copies thereof is falſly attributed to the eighteenth Year of her Maſteſty, which was but the ſecond Seſſion of this Parliament, and no Speaker Eleſted in it; and therefore this Error ſeemeth only to have grown through the fault of Tranſcribers and the ignorance of ſuch as ſuffered ſo groundleſs an Error to ſtand.

The ſaid Speech therefore of the Lord Keeper, pronounced by her Maſteſties Commandment, was as followeth, *viz.*

THE Queens Maſteſty, our moſt Dread and Gracious Sovereign Lady, hath given me Commandment to declare unto you the Cauſes of the Summons of this Aſſembly for a Parliament to be holden here at this time; wherein albeit I mean to imploy my whole endeavour to the uttermoſt of my power and underſtanding, yet I muſt needs confeſs, that neither ſhall you have it done as the Maſteſty of this preſence, neither as the gravity of the Cauſe requireth it to be done. And yet the often Experience that I have divers and ſundry times had of the Queens Maſteſties great benignity and gentleneſs in bearing with and well accepting the doings of thoſe that to her Service put their good wills and diligences; And beſides all, the proof of your Patience in the like matter hath ſo much encouraged me, that (as I truſt) it ſhall be done although not cunningly nor eloquently, yet plainly and truly, ſo as it may be well underſtood and eaſily born away, and therewith alſo as briefly as the greatness of ſuch a matter will ſuffer. True it is, the original and principal cauſe is, that things there propounded may be orderly and diligently debated, deeply conſidered, and thereupon wiſely concluded. And to the end alſo that thoſe Concluſions ſo made, the rather for ſuch an univerſal Conſent as in Parliament is uſed, remain firm and ſtable.

Now the matters that are in this Parliament to be proved, do conſiſt altogether in two parts. The former is in matters of Religion, for the better maintenance of Gods Honour and Glory. The ſecond in matters of Policy, for the more perfect upholding and eſtabliſhing of the Queens Maſteſties Royal Eſtate, and the preſervation of the Common-Weal committed to her Charge. The Cauſes of Religion are again to be divided into two, that is into matters of Doctrine and Diſcipline. The thing of Policy I mean alſo to part into other two, that is, into matter concerning the good Government of the Subjects at home, and into cauſes of defence againſt the Enemy abroad.

And thus by this Proceſs you ſee you are, as indeed you ought,

First, To conſider in this your Aſſembly of Gods cauſe, which faithfully, ſincerely and diligently done, like as it cannot but bring ſucceſs to all the reſt, ſo likewiſe lukewarm, deceitful and double-dealing therein cannot but breed, nourish and bring forth Faſtions, Diviſions, Seditions, &c. to the great peril and danger of all the reſt. And the greater that the perſonages be in Authority and Dignity that thus deal, the greater of neceſſity muſt be the danger of the Common-Weal. And becauſe Gods Law and Doctrine being the firſt Law and branch muſt light upon our ſelves that ought to take the benefit of it, as firſt and chiefly upon Miniſters of this Doctrine, either for not preaching and teaching by word and example of life ſo purely and reverently as they might, or elſe not ſo diligently as they were bound.

And ſecondly upon us for not hearing it ſo deſirouſly, or elſe hearing it and forgetting it, or not following it ſo effectually as we ſhould.

Thirdly, For that many of us of the Laity do not yield and give that eſtimation, countenance and credit to the Miniſters of his Doctrine which of right they ought to have, and that many greatly hurt the ſetting forth of it: For this one thing may be holden firm by the Rules of good Government, that all Officers both Spiritual and Temporal that have Governance, during the time of their Offices, ought to be preſerved in Credit and Eſtimation. For how can any thing be well ſet forth by them that want Credit? Marry for my part let the time of their Offices laſt as their doings do deſerve.

Fourthly, Becauſe the want of the number of Miniſters that ought to be and be not, and ſo the insufficiency of thoſe that be for diverſe reſpects. But therein the Queens Highneſs doubteth nothing but all that which the difficulty of time in ſo great a ſcarcity of men meet to be Miniſters will ſuffer to be done, ſhall by my Lords the Biſhops be done in this behalf, and that as ſpeedily, diligently and carefully as can be. And if any perſon admitted or to be admitted to this Miniſtry ſhall hereafter either of Arrogancy or Ignorance, ſhow any ſtrange Doctrine contrary, or varying from that which by common conſent of the Realm is publiſhed, to the breach of Unity, that he by thoſe to whom it appertaineth, ſharply and ſpeedily be reformed, all favour and fear ſet apart.

Thus much for Doctrine. You are moſt earneſtly alſo to think and conſider of the Diſcipline of the Church as one of the ſtrong Pillars of Religion, which doubtleſs at this time hath two great lacks. The firſt the imperfection of Laws for the countenance of it, which hath grown either by reaſon that ſundry of the Ordinances made for that purpoſe, be diſuſed or otherwiſe have not their force; or elſe for that moſt of the Laws that remain be ſuch as for their ſoftneſs few men make account of.

The ſecond imperfection is the ſlothfulneſs, corruption

corruption and fearfulness of the Ecclesiastical Ministers and Officers in the due Execution of those Laws that be good and yet continue. True and too true it is, that hereby at this present two great Enormities daily grow : The former that men of wealth and power given to be evil may in their Countries live what dissolute and licentious life they list, and both Temporally and Spiritually offend daily in all the branches of Simony, the very Canker of the Church without feeling of this Discipline.

The second, That many of the laudable Rites and Ceremonies of the Church, or pertaining to the Ministers of the same agreed upon by common consent, the very Ornaments of our Religion are very ill kept, or at least have lost a great part of their Estimation. And here (through the many faults for want of Discipline) to remember you of one particular matter of great moment. How cometh it to pass that the common people in the Country universally come so seldom to Common-Prayer and Divine Service, and when they do come, be many times so vainly occupied there, or at least do not there as they should do, but for want of this Discipline?

And yet to the help of this there was at the last Parliament a Law made, but hitherto no man, no, no man or very few hath seen it Executed; as plainly to speak, Laws for the furtherance of this Discipline unexecuted be Rods for Correction without Hands. It cannot be denied but as Superstition is every way to be abhorred for fear of Idolatry; so certainly the loss of this Discipline is always to be avoided, lest else contempt (that necessarily must follow) may cause Irreligion to creep faster in than a man would think. For of all other it is the most pestilent and pernicious thing, never suffered nor allowed in any Common-Weal, nay not amongst the Heathens that were most barbarous. But here it may be said the mischief appeareth, where is the remedy? and that it were better not opened in such a presence, than opened without the remedy both devised and declared.

In mine opinion the remedies may easily be devised: all the difficulty is in the well Executing of them. As first, if the chief Parsonages of this Realm, both in Town and Country, would give good Example, it cannot be but it would be much to the remedying of a great part of this mischief.

Secondly, The dividing every one of the Dioceses according to their greatness into Deaneries, as I know commonly they be; and the committing of the Deaneries to men well chosen, as I think commonly they be not: and then the keeping of certain ordinary Courts at their prescript times for the well Executing of those Laws of Discipline, as they ought to be, with a sure controulment of those inferior Ministers by the Bishop or his Chancellor, not biennially or triennially, but every year twice or thrice: which use of necessity without very great difficulty may do much in very short time to the reformation of

this, the chief Officers Ecclesiastical all being very well, and the Laws themselves being first made sufficient and perfect, which in this Parliament may very well be brought to pass.

And because the proceedings of matters in Discipline and Doctrine do chiefly concern my Lords the Bishops, both for their understanding and Ecclesiastical Function, therefore the Queens Highness looketh that they being called together here in Parliament, should take the chiefest care to confer and consult of these matters. And if in their Conference they found it behooful to have any Temporal Acts made for the amending and reforming of any of these lacks, that then they will exhibit it here in Parliament to be considered upon, and so *Gladius Gladium, juvabit*, as before time hath been used; foreseeing always that all Laws and Ordinances for this matter of Doctrine and Discipline be uniform, and so one sort throughout the whole Realm. And thus much concerning Religion, being the first part.

Now to the second, that is, matters of Policy. And herein first for the good Government of the Subjects at home, the lacks and defaults whereof as in Discipline so in this stand altogether in the imperfection of Laws, or else the fearfulness, slothfulness and corruption of Temporal Officers, that ought to see the due Execution of them. For the help of the former, you are to Examine whether any Laws already made are too sharp or too fore, and so over-burthenfom for the Subject, or whether any of them are too loose or too soft, and so over-dangerous to the State; for like as the former may put in danger many an Innocent particularly, so the second may put in danger both the nocent and innocent, and the whole State universally. You are also further to Examine the want and superfluity of Laws, and whether crafty Covetousness and Malice have devised any means to defraud Laws already made, or how to do any injuries for which there is no Law that hath his being to reform it: or whether the Common-Weal and State of this Realm, by reason of any imperfection or cause, is like to fall to any danger or peril; for the greater the danger is, the greater would the care and consideration be for the remedy of it. You are also to Examine whether there are too many Laws for any one thing, which breedeth so many doubts, that the Subject is sometimes to seek how to observe them, and the Chancellor how to give advice concerning them.

As to the second imperfection, which is the want of the due Execution of Laws; because I cannot perceive but all the rest and all Laws made and to be made is but a vain matter, therefore I have thought oft with my self what might be the best remedy, if not to make all Laws perfectly Executed (for that I can hardly hope of) yet to make them in much better Case than now they be. And when I had considered all things, I could find no help but this: The first by having great care in the choice of those Officers that

have the Execution of Laws. The second, to do as much as may be for the banishing of sloth, corruption and fears from them. A third way there is which I leave to your judgments, this it is: there should be a triennial or biennial Visitation in this nature, made of all the Temporal Officers and Ministers that by virtue of their Office have in charge to see the Execution of Laws. By this I mean that the Queens Majesty should make choice every second or third year of certain expert and approved persons, to whom Commission should be granted to try out and examine by all ways and means the offences of all such as have not seen to the due Execution of the Laws according to the offices and charges committed to them by the Prince. And the offences so found and certified to be sharply punished without remission or redemption. Of effect much like this, and to the like end was the Visitation of the Church first devised; whereof, in the beginning of it, came great good doubts; and reason I see none but the like good ought to follow upon like Visitation made amongst Temporal Officers. And the old Commission of *Oyer* tended somewhat to this end. I doubt certainly if the Laws and Statutes of this Realm should not indifferently, uprightly and diligently be put in Execution (as my trust is they shall) especially in the great and open Courts of this Realm, then my burthen, I confess, is equal with the greatest, and yet for my part, I would gladly every year hear of, and yield to such a Comptroller.

Now to the last and greatest, which is the defence against the Foreign Enemy abroad and his Confederates brought up and bred amongst us our selves, because these matters be by reason now chiefly in hand, and that the dealings of the outward Enemy be matters that go to the whole, and that this presence you know representeth the whole; Therefore in all congruity it seemeth reason that all we for and in the name of the whole consider carefully of this cause, and give present assistance for the help of it. And to the end you may be more able to give good Counsel and advice therein, it hath been thought meet I should summarily and shortly make you privy of these proceedings, which shall be the better understood if I begin at the root as I intend:

This it is: The Queens Majesty at her coming to the Crown finding this her Realm in a ragged and torn State, and yet in Wars with a mighty Enemy, the Chief Fortres of the same lost, to the Realms great dishonour and weakning; her Frontier Towns not sufficiently fortified, the Revenue of the Crown greatly spoiled, the Treasure of the Realm not only wasted, but the Realm also greatly indebted; The Land of *Ireland* much out of order; The Staple and Store of all kind of Munition for the Realms defence marvellously consumed; The Navy and Sea matters nothing in the State they now be, was forced to give Ear to a Peace with some other Con-

ditions than else it is like her Highness would have come to, to the end that these dangerous defaults might be in the time of Peace sufficiently for the security of the Realm provided for. Whereupon indeed her Highness (Peace being concluded) entred into the reforming and supplying of most of all those great lacks, and for the well-doing of them hath not forbore to take any care or pains, neither hath she sticked for the compassing of this both to spend her own Treasure, to sell her own Lands, to prove her own Credit at home and abroad to the uttermost, and all this for our Sureties and quiet. (Here want the Causes why the Queens Highness sent her Forces to lie in assisting the Admiral and others against the *Guises*, and a Declaration of the great charges that grew thereby.)

Thus have you heard the sum of those Proceedings; whereby it is plain and evident, that as our most Dear and Gracious Sovereign Lady, hath for the preservation of common quiet, and for our own Surety against the common Enemy, forbore no care or travel in the devising, no more hath she charge or expence in the performing. I may safely affirm it, because I am well able to prove it, that the Charges of the managing of these Affairs, and that that hath been done since the Queens Majesty came to the Crown in supplying the dangers aforementioned, amount to as much as two of the greatest Subsidies that I can remember; a matter not possibly to be born for that which is past, nor to be continued for that which is to come by the ordinary Revenue of the Crown, and yet of necessity to be done, except all (which God forbid) should run to ruine: If when any part of the natural body happeneth to be in danger, the head and every part hasteth to the relief; what would then be done trow ye, when peril is offered, that the Head should take the whole care and bear the whole burthen, and all the Members remain uncared and uncharged therewith? How light a burthen it is when it is born of many, is understood of us all. But hereof I make a stay, because there is no doubt your good wills and towardness upon these Considerations be such, as this last Speech of mine needeth not, and so doubtless the Queens Highness taketh it. And yet your Wisdoms well know, that the Office of this place which I occupy, craveth thus much to be said at my hands, and for that purpose chiefly could I trust you take it, and not for any necessity to draw them by perswasion that otherwise of their own disposition be forward enough. The Declarations of the Proceedings being uttered, I do assure my self to suffice to men of your understanding and inclination. For how can a man think that any is so void of reason, that he would not gladly offer any aid against a Foreign Enemy, that he were able to make for the safety of his own Country, his Sovereign, himself, his Wife and Children; especially when by reason it is plain, that the Queens Majesty hath already, and daily doth imploy her own Treasure, yea, and

and her Lands and Credit, not in any Glorious Triumphs, superfluous and sumptuous Buildings of delight, vain and chargable Embassages, neither in any other matters of will and pleasure; I mean, no Expence to be noted in a Prince of thirteen Years Reign, but as far as man can judge in the Service of her Realm and necessary defence for her people, and for the annoyance of the Enemy. Yet hath it been seen ere this, that Princes Wills, Pleasures and Delights, have been followed in Expences as necessities. And now God be thanked the doings have been such since the Queens Highness Reign, that to the indifferent man it will be probable and plain, that the relieving of the Realms necessity is become the Princes Delight; a good Change, God continue it, a marvellous good Example for us to follow, and yet it is scant credible how long it was, and in the end with what difficulty the Queens Majesty came to agree that this Example should be followed by us, in being content that this Parliament should be Summoned, that it might be moved that the Realm might contribute to the Realms defence, with such difficulty indeed, that if any other way could have been devised (her Honour and Realms Surety saved) this had never been attempted: So loth she is to any offensive matter by burthen or charge, that if any other way could have been devised, this had not been: and so from her own Mouth she Commanded me to say unto you.

Oh what a grief it is to a Prince (trow you) when he findeth such want that he is not able to consider of the Service of his Servants and Subjects; this dangerous and necessary Service, as their deserts do crave! knowing that most commonly the very life and heart of the Servant, and Souldier which so often offereth himself to the Cannon, the Pike, the Fire, is either over-thrown or set up as regard is had of his perils. Except there be some odd men (as they call them) of that perfection, that virtue and well-doing is their mark, and not reward, who hold for firm, that *Recti facti merces est fecisse tantum*, but *Rara avis in terris*, &c. Yea, those are so rare as counsel cannot be given that Princes Service should hang on the help of such hope, and yet these be the perfectest and best, but the World is not served by such. To give good words is a good thing, but often used, albeit never so cunningly, without Deeds or Service, is reputed but as Wind, and is indeed *dare verba*. Marry, power serving not, then it deserveth great Commendations; for it is as much as can be done: for *ultra posse non est esse*. But hereof thinketh little the greatest number. But to a Prince who thinketh thus much, and daily thinketh and feeleth of it, what a tormenting trouble is such a want think ye? These wants when they happen, would be, ought to be most holpen. But here I have troubled you further than I meant, or perchance needed. If I have so done, I pray you apply it to the best as I meant it, and so there must needs come good of it.

And thus no further to trouble you but to make an end. You have heard First, the causes of this Assembly. Secondly, What I think meet to be remembred. Thirdly, What for the Governance of the Subject at home, and what hath been done for the defence of the Enemy abroad; your Offices and Duties, to be careful to consider of these matters, which I have the rather summarily remembred than effectually discoursed upon. The former pertaineth to my Office as a Remembrancer. The second to you as Executors of these remembrances. And because you of the Nether House cannot without a Head thus do, therefore it resteth, that you according to your antient Order, of your selves chuse some wise and discreet man, who after he hath been by you chosen and presented, and that presentation by the Queens Majesty allowed, shall then be your Speaker, and Day is given, &c.

This Speech being thus transcribed out of the Copy I had of it, as is aforesaid; now follow the names of the Receivors and Tryors of Petitions out of the Original Journal-Book of the Upper House, which the Clerk of the same readeth in French as soon as the Lord Keepers Speech is ended, and which were as followeth.

Receivors of Petitions for *England, Ireland, Wales and Scotland*.

Sir Robert Catlin Knight, Chief Justice of the Kings-Bench, Sir William Cordell Knight, Master of the Rolls, Sir John Widdon Knight, one of the Justices of the ----- Sir Richard Read K^t, one of the Justices of the ----- and Dr Huick; and they that will deliver Petitions, are to deliver the same within six dayes next ensuing.

Receivors of Petitions for *Gascoigne and other Lands beyond the Seas and the Isles*.

Sir James Dyer Knight, Chief Justice of the Common-Pleas, Sir Edward Sanders Knight, Lord Chief Baron, Richard Weston, one of the Justices of the ----- John Southcott, one of the Justices of the ----- Doctor Lewis, Doctor Tale and Doctor Vaughan: and they that will deliver Petitions, are to deliver the same within six days next ensuing.

Tryors of Petitions for *England, Ireland, Wales and Scotland*.

The Archbishop of Canterbury, the Earl of Oxford, the Earl of Suffex, the Earl of Huntington, the Earl of Bedford, the Bishop of London, the Bishop of Winchester, the Bishop of Ely, the Lord Howard of Effingham, Lord Chamberlain of the Queens House, the Lord Windsor, and the Lord North. All these or four of them calling unto them the Lord Keeper of the Great Seal, and the Treasurer, and the Queens Serjeants when need shall require, shall hold their place in the Chamberlains Chamber.

Tryors of Petitions for *Gascoigne and other Islands beyond the Seas*.

The Archbishop of York, the Earl of Lincoln, Lord Admiral of England, the Earl of Leicester, the Earl of Effex, the Bishop of Worcester, the

Bishop of *Lincoln*, the Bishop of *Rochester*, the Lord *Burleigh* Principal Secretary, the Lord *Wentworth*, the Lord *Buckhurst*. All they or four of them calling to them the Queens Serjeants, Attorney and Solicitor when need shall require, shall hold their place in the Treasurer's Chamber.

Hodiè retornatum est breve Dom. Regina quo Henricus Compton de Compton Chevalier præfenti Parlamento interesse summonitus est, qui præfens admissus est ad suum præheminentiæ sedendi in Parlamento locum, salvo cuiq; jure suo.

And two other Writs were returned in like manner, by which *Henry Cheyney* of *Toddington*, and *Henry Lord Norris* of *Ricott*, were Summoned to be present this Parliament, who were accordingly admitted to their due places, saving to all others their right.

Nota, That there is no entrance in the Original Journal-Book of the Upper House, of any Continuance or Adjournment of the Parliament by the Lord Keeper, which doubtless happened through the great negligence of *Anthony Mason Esq;* at this time Clerk of the said House.

There were also divers Proxies returned on this present *Thursday*, being the 8th day of *May*, but whether before or after the Continuance of the Parliament appeareth not; in which two Spiritual Lords Constituted each of them two Proctors apiece, according to the usual and frequent manner, and are therefore omitted; but four other Bishops nominating either three Proctors apiece or but one, which is somewhat extraordinary, therefore they are here inserted.

Die 8^o Maij, introductæ sunt literæ Procuratoriæ Hugonis Episcopi Landaven. in quibus Procuratores suos constituit Nicolaum Wigorn., Richardum Meneven, & Nicolaum Bangoren. Episcopos.

Eodem die introductæ sunt literæ Procuratoriæ Jacobi Dunelmensis Episcopi, in quibus Procuratorem suum constituit Edmundum Archiepiscopum Ebor.

Eodem die introductæ sunt literæ Procuratoriæ Johannis Herefordensis Episcopi, in quibus Procuratores suos constituit Matthæum Cantuariensem Archiepiscopum & Edwin. London. & Nicolaum Wigorn. Episcopos.

Eodem die introductæ sunt literæ Procuratoriæ Thomæ Asslavenfis Episcopi, in quibus Procuratores suos constituit Robertum Wintonien, Nicolaum Wigorn., ac Nicolaum Bangoren. Episcopos.

Now although it be most usual for the Spiritual Lords to name two Proctors, yet here four of six varied from it, three of them exceeding that number, and the other nominating but one. It is likewise as usual for the Temporal Lords to Constitute but one Proctor, and it is an Action worthy observation where they nominate more; for in this very Parliament of fifteen Temporal Lords that sent Proxies, but one nominated two Proctors: which see afterwards on *Monday* the 12th day of this instant *May* following, and all

the rest Constituted but one Proctor apiece, which being trivial and ordinary are omitted.

Nota, Also that the Earl of *Leicester* had this Parliament eight Proxies sent unto him, viz. from *George Earl of Shrewsbury*, *Edward Earl of Darby*, *Henry Lord Scroop*, *Edward Lord Dudley*, *Anthony Viscount Mountacute*, *Gregory Lord Dacres*, *William Lord Sands*, and *Edward Earl of Lincoln*; all which seem to have been returned on *Monday* the 12th day of this instant *May*, in such order as they are here set down.

Nota, That the Lord *Burleigh* also Principal Secretary to her Majesty, had six Proxies sent unto him this Parliament, viz. from *John Marquess of Winchester*, *Henry Lord Hunston*, *Thomas Lord Buckhurst*, *John Lord Latimer*, *Edward Earl of Lincoln* (who made also the Earl of *Leicester* his joint Proctor with him) and *Robert Lord Rich*. These also are set down in the Journal-Book to have been returned the 12th day of *May* in such order as they are here set down; but now by a late Order made in the Upper House an. 2^{do} *Caroli Regis*, no Lord is capable of above two Proxies.

Nota, That in the Original Journal-Book of the Upper House it doth not appear at all whether her Majesty or any of the Lords were present on *Saturday* following being the tenth day of this instant *May*, (it appearing plainly, that neither House sat on *Friday* the 9th day of the same) nor what was done thereon, and therefore the Passages of the same are supplied out of the Original Journal-Book of the House of Commons.

On *Saturday* the 10th day of *May* (in the Afternoon) her Majesty being come to the Upper House, with divers of the Lords Spiritual and Temporal, being there also set, and the Knights, Citizens, Burgesses and Barons of the House of Commons having notice repaired thither with *Robert Bell* of the Middle-Temple *London* Esq; their Speaker Elect, who was led up unto the Rail or Bar, at the lower end of the said Upper House, by two of the most Eminent Personages of the Commons, and presented to her Majesty, whom she allowed and Confirmed in the said place of Prolocutor or Speaker, notwithstanding his Excuse made, and disabling himself according to the usual form.

After which the said Speaker being now fully and absolutely invested in his said place, did after his humble thanks rendred to her Majesty, in the Conclusion of his Speech make certain Petitions of course in the behalf of himself and the House of Commons, viz. for the free access to her Majesty, freedom of Speech, and freedom from Arrests and Suits during the Continuance of the Parliament, and for Pardon for himself if he should in any thing unwittingly mistake or offend. All which being graciously allowed by her Majesty, she arose and departed.

Nota, That there is no entrance in the Original Journal-Book of the Upper House of the Continuance or Adjournment of the Parliament, which

which doubtless happened through the great negligence of *Anthony Mason* Esq; now Clerk of the same. For it is plain, the Lords did sit again on *Monday* following in the Forenoon, to some hour of which it is most likely it was continued, and the passages whereof, as also of all the other days on which the said House sate, do now in order follow out of the aforesaid Original Journal-Book of the same.

May the 11th Sunday.

On *Monday* the 12th of *May*, to which day the Parliament had been last continued (as is most likely) the presence of the Lords is first noted in the Original Journal-Book of the Upper House, which were as followeth (their Names only being altered into English.)

The Archbishop of *Canterbury*.

The Archbishop of *York*.

Sir *Nicholas Bacon* Knight, Lord Keeper of the Great Seal of *England*.

The Marquess of *Winchester*.

Comites.

The Earl of *Oxford* Great Chamberlain of *England*.

The Earl of *Kent*.

The Earl of *Worcester*.

The Earl of *Rutland*.

The Earl of *Suffex*.

The Earl of *Warwick*.

The Earl of *Pembroke*.

The Earl of *Hartford*.

The Earl of *Leicester*.

The Earl of *Essex*.

Viscount *Bindon*.

Episcopi.

The Bishop of *London*.

The Bishop of *Winchester*.

The Bishop of *Ely*.

The Bishop of *Worcester*.

The Bishop of *St Davids*.

The Bishop of *Salisbury*.

The Bishop of *Bath and Wells*.

The Bishop of *Coventry and Litchfield*.

The Bishop of *Peterborough*.

The Bishop of *Normich*.

The Bishop of *Chester*.

The Bishop of *Bangor*.

The Bishop of *Lincoln*.

The Bishop of *Exeter*.

The Bishop of *Rocheſter*.

Barones.

The Lord *Howard* of *Effingham*, Chamberlain to the Queen.

The Lord *Burleigh*, Secretary to the Queen.

The Lord *Abergavenny*.

The Lord *Strange*.

The Lord *Dacres*.

The Lord *Stafford*.

The Lord *Grey* of *Wilton*.

The Lord *Mountjoy*.

The Lord *Darcy*.

The Lord *Mounteagle*.

The Lord *Sands*.

The Lord *Windſor*.

The Lord *Wentworth*.

The Lord *Burrough*.

The Lord *St John* of *Basing*.

The Lord *Cromwell*.

The Lord *Evers*.

The Lord *Wharton*.

The Lord *Willoughby* of *Parham*.

The Lord *Pagett*.

The Lord *Darcy* of *Chich*.

The Lord *North*.

The Lord *Chandois*.

The Lord *St John* of *Bletſoe*.

The Lord *Buckhurſt*.

The Lord *De la Ware*.

The Lord *Compton*.

The Lord *Cheyney*.

The Lord *Norris*.

This day also by Order and Consent of the whole House, were appointed to confer with such number of the House of Commons as should please the said House to appoint, for the more speedy and better direction of them in the great matter touching the Queen of *Scots*, these Lords undernamed, viz.

The Archbishop of *Canterbury*.

The Archbishop of *York*.

The Earl of *Oxford*.

The Earl of *Kent*.

The Earl of *Worcester*.

The Earl of *Suffex*.

The Earl of *Warwick*.

The Earl of *Bedford*.

The Earl of *Leicester*.

The Earl of *Essex*.

The Bishop of *London*.

The Bishop of *Winchester*.

The Bishop of *Ely*.

The Bishop of *Lincoln*.

The Bishop of *Rocheſter*.

The Lord Chamberlain.

The Lord *Burleigh*.

The Lord *Grey*.

The Lord *Windſor*.

The Lord *Wentworth*.

The Lord *North*, and the Lord *Chandois*. Who were appointed to meet in the Star-Chamber, at eight of the Clock in the Morning the next day. Vide on *Wednesday* May the 28th ensuing.

The Bill for preservation of Wood and Timber was read *prima vice* & *Commiſſa* Archiepiſcopo Cantuar., *Comiti* Lincoln., *Comiti* Suffex, *Comiti* Leicester, *Episcopo* Elien., *Episcopo* Wigorn., *Episcopo* Meneven., *Domino* Howard, *Domino* Camerario, *Domino* Burleigh, *Domino* Windſor, Do-

mino Wentworth, Domino Pagett, Domino Chandois, Domino Buckhurst, & Justiciario Southcott & Justic. Weston

The Bill for punishment of Vagabonds, and for relief of the poor was read *prima vice* & *Commissa Archiepiscopo Cantuar., Comiti Huntington, Comiti Rutland, Comiti Pembroke, Comiti Hertford. Episcopo London. Episcopo Wigorn., Episcopo Meneven, Episcopo Bangor., Domino Grey, Domino St John, Domino Evers, & Domino St John de Bletsoe, & Justiciario Harper, & Christophero Wray Servienti ad Legem.*

Nota, That here a Bill is not only committed upon the first reading, but a Judge who is but a meer Assistant unto the Upper House, and a Serjeant who is but a meer Attendant thereon, are made joint Committees with the Lords as in the Bill foregoing.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem Crastinum hora Octava.

This day also was brought in the Proxy of Edward Earl of Lincoln into the Upper House, and as it seemeth the Proxies of fourteen other Temporal Lords, *viz.*

One Marquess, two Earls, one Viscount, and ten Barons.

But there is no mention made in the Original Journal-Book whether they were returned before or after the Continuance of the Parliament, according to the usual form as aforesaid, which was in the Afternoon of this present Monday, where each Temporal Lord nominateth one Proctor, and therefore were admitted; but the Earl of Lincoln nominating two Proctors, which is somewhat extraordinary, is transcribed out of the Original Journal-Book as followeth.

12th Maij introductæ sunt literæ Procuratorie Edwardi Comitum Lincoln. in quibus Procuratores suos constituit Robertum Comitem Leicester, & Willielmum Dominum Burleigh.

On Tuesday the 13th day of May, to which day the Parliament had been last continued, the Bill against corrupt Presentations was read *prima vice.*

Nota, Because the daily continuing of the Parliament in these words, *Dominus Custos magni Sigilli, &c.* is but matter of course, it is afterwards through the whole Journal-Book omitted, unless something extraordinary fall out either in respect of the person, time, or manner of continuing of it.

On Wednesday the 14th day of May, to which day the Parliament had been last continued on the day next foregoing, divers Lords Spiritual and Temporal Assembled, but nothing was done save only the Continuance of the Parliament by the Lord Keeper to the day next following, at eight of the Clock.

On Thursday the 15th day of May, to which day the Parliament had been yesterday continued, the Bill for the punishment of Vagabonds and relief of the Poor was read *secunda vice*: but there is no mention made that it was either Or-

dered to be ingrossed or referred to Committees, of which doubtless there can be no other reason, (seeing it was not sent up from the House of Commons) than the negligence of the Clerk of the Upper House, in respect that it is easie to be conjectured, that this foregoing Bill was either Ordered to be ingrossed or recommitted to the former Committees, whose names see on Monday the 12th day of this instant May foregoing.

On Friday the 16th day of May, the Bill against Forging and Counterfeiting of Foreign Coin being not currant within the Realm, was read *prima vice.*

On Saturday the 17th day of May, the Bill against Forging and Counterfeiting of Foreign Coin being not currant within the Realm, was read *secunda vice, & commissa ad ingrossand.*

The Bill against corrupt Presentations was read *secunda vice & commissa Comiti Huntington, Com. Bedford, Episcopo Wigorn. Episcopo Wintonien. Domino Grey, & Domino St John de Bletsoe. Vide* concerning this Bill on Saturday the 31th of this instant May following.

The Bill also for the annexing of the Jurisdiction of Dorset to the See of Sarum, was read *prima vice & commissa Archiepiscopo Cantuar. Archiepiscopo Ebor. Comiti Bedford, Comiti Pembroke, Vice-Com. Bindon, Episcopo Wigorn. Episcopo Exon. Episcopo Lincoln. Episcopo Rossen. Domino Mountjoy, Domino St John, Domino Chandois.*

The Bill lastly for punishment of Vagabonds and relief of the Poor, was read *tertia vice & conclusa.*

May the 18th Sunday.

On Monday the 19th day of May, to which day the Parliament had been last continued. The Bill for the punishment of Vagabonds and relief of the Poor, was delivered to Doctor Lewes and Doctor Vaughan, to be carried to the House of Commons.

The Bill also against Forging and Counterfeiting of Foreign Coin being not currant within the Realm, was read *tertia vice*, and sent to the House of Commons by Doctor Tale and Doctor Huick.

The Bill lastly for punishment of such as shall rebelliously take or detain from the Queens Majesty any Castle, Tower, Fortrefs, Ship or other Munition of War, was read *prima vice.*

On Wednesday the 21th day of May, to which day the Parliament had been on Monday last continued, three Bills were brought up to the Lords from the House of Commons, of which the first being the Bill that the Tenant and Defendant may have a *Tales de circumstantibus*, and the second against the deceit of Under-Collectors of the Tenths and Subsidies of the Clergy, were each of them read *prima vice.*

On Thursday the 22th day of May, *introducta fuit Billa nova* touching corrupt Presentations, & *prima vice lecta.*

Six other Bills of no great moment had each

of them one reading; of which the third being the Bill touching corrupt Presentations; another that the Tenant and Defendant may have a *Tales de Circumstantibus*, as well as the Demandant or Plaintiff; and the last being the Bill against deceits of Under-Collectors of the Tenths and Subsidies of the Clergy, were each of them read *secunda vice*: but no mention is made that they were either Ordered to be engrossed or referred to Committees, because they had been sent to their Lordships from the House of Commons the day foregoing.

On Friday the 23th day of May, Two Bills of no great moment had each of them one reading; of which the first being the Bill against deceits of Under-Collectors of the Tenths and Subsidies of the Clergy, was read *tertia vice* & *conclusa*.

Three other Bills also were each of them read *secunda vice* & *commisæ ad ingrossand.*; of which the third was the Bill against such as shall conspire or practice the enlargement of any Prisoner committed for High-Treason, &c.

On Saturday the 24th day of May, Two Bills of no great moment had each of them their third reading and passed the House; of which the second was the Bill against such as shall conspire or practise the enlargement of any Prisoner committed for High-Treason.

The Bill that the Tenant or Defendant may have a *Tales de Circumstantibus*, as well as the Demandant or Plaintiff, was sent to the House of Commons by Serjeant *Barham* and Doctor *Huick*.

Five Bills also were brought up to the Lords from the House of Commons; of which the last was the Bill for the inserting of the Mannor of *Havering at Bowre* in a blank and void place in certain Letters Patents of the late King *Edward the Sixth*, made unto certain persons of certain Lands and Tenements in the County of *Essex*.

On Wednesday the 28th day of May, Six Bills of no great moment had each of them one reading; of which the fourth being the Bill touching Fine and Recoveries, was read *secunda vice* & *commisæ* *Comiti Rutland*, *Comiti Suff.*, *Comiti Huntingdon*, *Domino Wentworth*, *Domino North*, *Domino primario Justiciario Com. Placitorum*, *primario Baroni Scaccarii*, & *Justiciario Wray*.

Nota, That here the Judges who are but Assistants unto the Upper House, are made joint Committees with the Lords.

The Bill of Wood (which had been read *prima vice* on Monday the 12th day of this instant May foregoing, and then committed to those whose names are there set down, was now re-committed to the Archbishop of *Canterbury*, the Earl of *Suffex*, the Earl of *Huntington*, the Earl of *Bedford*, the Earl of *Leicester*, the Bishop of *Worcester*, the Bishop of *Chichester*, the Lord Chamberlain, the Lord *Burleigh*, the Lord *Wentworth*, the Lord *Chandois*, the Lord *Norris*, the Master of the Rolls, Justice *Weston*, Justice *Southcott*, and Mr Serjeant *Barham*.

But whether this Bill had its second reading at this present or upon some other day foregoing, doth not certainly appear, but seemeth to have been omitted through the negligence of *Anthony Mason* Esq; at this time Clerk of the Upper House: Neither do there want Presidents that Bills after the first reading have been referred to Committees, when there hath been no mention made of any second reading; nay sometimes when the Bill hath had its second reading on a former day, as it was in the Bill for the Commission of Sewers referred to Committees on Saturday the 21th day of April in the Parliament *de an. 13 Regin. Eliz.* in the Journal of the Upper House, it is afterwards committed: and sometimes it is committed when it hath its second reading at an after-day, as it was at this present Journal in the Bill touching *Tunbridge-School*, on Monday the 9th day of June ensuing.

For the great matters touching the Scottish Queen (which had been referred to Committees on Monday the 12th day of this instant May foregoing) were appointed these Lords; *viz.*

The Archbishop of *Canterbury*, the Earl of *Suffex*, the Earl of *Leicester*, the Bishop of *Lincoln*, the Lord *Burleigh*, and the Lord *Grey*; *Vide* touching this matter on Tuesday the 10th day of June next ensuing.

On Thursday the 29th day of May, the Bill for the annexing of *Hexham* and *Hexamsshire*, &c. was sent up to the Lords from the House of Commons.

The Bill for the inserting of the name of the Mannor of *Havering at Bowre* in a blank or void place, was read the second time; but no mention is made that it was either Ordered to be ingrossed or referred to Committees, because it had been sent from the Lords on Saturday the 14th day of this instant May foregoing.

The Bill for the preservation of Timber and Fuel within twelve Miles of *London* and Suburbs of the same, was read *secunda vice* and committed to the Earl of *Worcester*, the Earl of *Rutland*, the Earl of *Essex*, the Lord *Abergavenny*, the Lord St *John* of *Bletsoe*, and the Lord *Compton*.

The Bill for the assurance of certain Lands, according to the meaning of Sir *Thomas Woodhouse* for the benefit of certain Infants, was read *secunda vice*.

The Bill for repeal of a Statute made for the Town of *Shrewsbury an. 8 Regine Eliz.* was read *secunda vice*, and committed to the Earl of *Bedford*, the Earl of *Essex* and others.

The Bill also touching Presentations to Benefices by lapse was read the second time and committed unto the Archbishop of *York*, the Earl of *Rutland*, the Earl of *Hartford*, the Bishop of *Worcester*, the Lord *Cromwell*, the Lord *Emers*, Justice *Southcott*, and Justice *Wray*.

The Bill for keeping of the Assizes and Sessions in the Town of *Stafford*, and the Bill for annexing the Sheriffwicks of *Huntingtonshire* and *Cambridgeshire*, were each of them read *secunda*

cunda vice & Commissæ ad ingrossand.

The Bill lastly touching Sea-Marks, and that no Hoy or Plate shall cross the Seas, was read *prima vice* and committed to the Earl of Suffolk, the Earl of Leicester, the Lord Burleigh, the Lord Darcy de Chick, the Lord Cheyney, the Lord Norris, Serjeant Barham, and Doctor Lewes.

Nota, That this is not committed only upon the first reading, but also a Serjeant and a Doctor who are but Attendants upon the Upper House, are here made joint Committees with the Lords.

On Friday the 30th day of May, Two Bills of no great moment had each of them one reading; of which the first being the Bill for inserting of the name of the Mannor of *Havering* at *Bowre* in a blank and void place of certain Letters Patents of the late King Edward the Sixth, made unto certain persons of certain Lands and Tenements in *West-ham* in the County of *Essex*, was read the third time and passed the House.

On Saturday the 31th of May, Four Bills of no great moment had each of them one reading; of which the third being the Bill for renewing of a Statute made for the keeping of the Assises and Sessions within the Town of *Stafford*, was read *tertia vice & conclusa*. And the fourth and last being the Bill against corrupt Presentations was read *secunda vice & commissæ* to the Earl of Rutland, the Earl of Sussex, the Lord Chandois, and the former Lords nominated on Saturday the 17th day of this instant May foregoing, where this Bill was then read the second time, and then committed.

On Monday the second day of June, Two Bills had each of them one reading; of which the second being the Bill for the assurance of certain Lands and Tenements according to the meaning of Sir Thomas Woodhouse, for the benefit of certain Infants, was read *tertia vice & conclusa*.

On Tuesday the third day of June, Two Bills of no great moment had each of them one reading; of which the first being the Bill to renew a Statute made *an. 1^o* of the Queens Reign, inhibiting the transporting of Leather, or Raw-Hides out of the Realm, was read *secunda vice & commissæ ad ingrossand*.

On Wednesday the 4th day of June, the Bill touching a Statute made *an. 1^{mo}* of the Queens Reign, inhibiting the transporting of Leather or Raw-Hides, was read *tertia vice & conclusa*, and sent down to the House of Commons by Serjeant Barham and Doctor Huick.

Four Provisoes annexed by the Commons to the Bill for Vagabonds, with certain other Amendments in the said Bill, were read *secunda & tertia vice & conclusæ communi Procerum assensu*.

Three Bills were brought up to the Lords from the House of Commons; of which the first being the Bill for avoiding of Recoveries suffered by Collusion of Tenants for term of life and such others, was read *prima vice*.

The Bill touching Mary the late Scottish

Queen, was Ordered to be ingrossed.

The Bill for avoiding of Recoveries suffered by Collusion of Tenants was committed to the Earl of Rutland, the Earl of Sussex, and others; but there is no mention made whether this Bill was at all read: of which see a like President on Wednesday the 28th day of May foregoing.

On Thursday the 5th day of June, the Bill touching Mary the Daughter and Heir of James the Fifth late King of Scots, was read *tertia vice & conclusæ*, and sent to the House of Commons by Serjeant Barham and the Queens Attorney.

Five Bills were brought up to the Lords from the House of Commons, of which the second being the Bill against such as shall conspire or practise the enlargement of any Prisoner committed for High-Treason, and the third for annexing of *Hexham* and *Hexhamshire* to the County of *Northumberland*, were each of them returned *conclusæ*.

The Bill for the better and further assurance of certain Lands and Tenements to the maintenance of the Free Grammar-School at *Tunbridge* in the County of *Kent*, was read *prima vice*, and committed to the Archbishop of York, the Earl of Bedford, the Earl of Hartford, the Bishop of Chichester, the Bishop of Rochester, the Lord de la Ware, the Lord Norris, the Master of the Rolls and Justice Southcott. *Vide* concerning this Bill on Monday the 9th day, Tuesday the 10th day, and on Wednesday the 11th day of this instant June following.

The Bill that no Hoy or Plate shall cross the Seas, and touching Sea-Marks, was read *secunda vice & commissæ ad ingrossandum*.

Dominus primarius Justiciarius Banci Regis continuavit præsens Parliamentum usq; in horam secundam post meridiem.

Nota, That this continuance of the Parliament, with some others that follow by the Lord Chief Justice of the Kings Bench, was not without some express Authority given him by her Majesty; but through the great negligence of Anthony Mason Esq; at this time Clerk of the Upper House, it doth not appear in the Original Journal-Book of the same, whether the said Authority were given by Commission or otherwise.

About which hour in the Afternoon four Bills of no great moment had each of them one reading; of which the third being the Bill for the true making of Hand-Guns, Callivers, &c. and the last for Partition of certain Lands between the Lord Latimer and Sir Robert Wingfeild K^t, and their Heirs, were each of them read *prima vice*.

Dominus Primarius Justiciarius Banci Regis continuavit præsens Parliamentum usq; in diem Crastinum hora nona.

On Friday the 6th day of June, Four Bills of no great moment had each of them one reading; of which the last being the Bill against flying with long-winged Hawks under certain degrees, was read *prima vice*.

Dominus

Dominus Primarius Justiciarius Banci Regii continuavit præsens Parliamentum usq; in diem Crast. hora nona.

On Saturday the 7th day of June, Four Bills of no great moment had each of them one reading; of which the third being the Bill for the true making, proving and marking of Callivers, Muskets, Hand-Guns, Dags and other small Ordnance, was read *secunda vice*, and committed to the Earl of Bedford, the Earl of Hartford, the Earl of Leicester, the Earl of Essex, the Lord Grey, the Lord Evers, the Lord North, the Lord Chandois, and the Lord Norris, and to Justice Harper.

And the fourth and last being the Bill touching Hawks and preservation of Game, was read *secunda vice*, and committed to the Earl of Bedford, the Earl of Hartford, the Lord Darcy, the Lord Chandois, the Lord St John de Bletsoe, the Lord Compton, the Lord Cheyney, and Justice Wray.

Dominus Primarius Justiciarius Banci Regii continuavit præsens Parliamentum usq; in diem Lunæ proxim. hora nona.

On Monday the 9th day of June, Four Bills were brought up to the Lords from the House of Commons; of which the first being the Bill that the inhabitants of the City of Winchester, and of the Liberty of Soke adjoining to the same, may use the Trade of Cloth-making and take Apprentices, was read *prima vice*.

Three Bills also of no great moment had each of them their second reading; of which the second being the Bill for the Partition of certain Lands between the Lord Latimer and Sir Robert Wingfeild Knight and their Heirs, was read *secunda vice*: but no mention is made that it was either Ordered to be ingrossed or referred to Committees, because it had been formerly sent from the House of Commons.

The Bill lastly being for the School of Tunbridge was committed unto the Earl of Huntingdon, the Earl of Hartford, the Bishop of Worcester, the Bishop of Lincoln, the Lord Wentworth, the Lord Norris (being doubtless brought in this day by the Committees nominated on Wednesday the 4th of this instant June foregoing) but it was not at all now read, but had its second reading with a new Proviso added unto it on the Morrow following, and on Wednesday the 11th day of this instant June, and was committed the third time upon the third reading. *Vide* a like President on Wednesday the 28th day of May foregoing.

Dominus Primarius Justiciarius Banci Regii continuavit præsens Parliamentum usq; in diem Crastinum hora nona.

On Tuesday the 10th day of June, Eight Bills were brought up to the Lords from the House of Commons; of which the first being the Bill for the severance of the Sherifffwick of Cambridgeshire and Huntingdonshire, and the second for the punishment of such as shall rebelliously take or detain from the Queens Majesty any Castles,

Fortresses, &c. were each of them returned *conclus.*

The Bill for the better and further assurance of certain Lands and Tenements to the maintenance of a Free Grammar-School at Tunbridge in the County of Kent, was read *secunda vice*, with a new Proviso added thereunto by the Lords, which was twice read and Ordered to be ingrossed.

Upon request made by the House of Commons to have Conference with some of the Lords to be appointed by the House touching the great Bill of the Queen of Scots, were appointed these Lords following, *viz.*

The Archbishop of York;
The Earl of Worcester.
The Earl of Suffex.
The Earl of Bedford:
The Earl of Leicester.
The Earl of Essex.
The Bishop of London.
The Bishop of Winchester.
The Lord Burleigh.
The Lord Grey.
The Lord Wentworth.
The Lord Chandois, and
The Lord North.

But no Judges were nominated because they were to confer with the House of Commons. *Vide* concerning this matter on Monday the 12th day, and on Wednesday the 28th day of May foregoing.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usque in diem prox. hora nona.

Nota, That as it did not appear before on Thursday the 5th day of this instant June, so neither is it expressed here by what Authority the Lord Keeper is re-authorized to exercise the same again, which hapned through the great negligence of Anthony Mason Esq; at this time Clerk of the Upper House. The Presidents are familiar in other Journals of this Queens Reign, where this Authority hath been given to the Lord Chief Justice or some other (to supply the Lord Keeper's place) by Commission under the Great Seal, and that the readmittance of the Lord Keeper to the Executing of his said place again was by like Commission; but here it is possible that either were at this time here Executed by some other Authority.

On Wednesday the 11th day of June, Four Bills of no great moment had each of them one reading; of which the last being the Bill touching Sea-Marks, and the reviving of a Statute that no Hoy or Plate shall cross the Seas, was read *tertia vice & conclusa.*

Three Bills were sent from the Lords to the House of Commons, by Doctor Vaughan and Doctor Huick; of which one was the Bill for continuance of Statutes.

The Bill to revive a Statute made *an. 1.* of the

Queens Majesties Reign, inhibiting the transporting out of the Realm of Leather, Tallow and Raw-Hides, was returned from the House of Commons *conclusa*.

Dominus Custos magni Sigilli ex Mandato Dominae Reginae adjournavit praesens Parliamentum usque in vicesimum quartum diem Junii prox. hora nona mane.

On Tuesday the 24th day of June, Three Bills of no great moment had each of them one reading; of which the first being the Bill that Wooll and Yarn may be bought and sold in the Markets and Fairs to be kept in the Borough of New Woodstock in the County of Oxon, was read *prima vice*.

Three Bills also were sent to the Lords from the House of Commons; of which the first was the Bill for Partition to be made between the Lord Latimer and Sir Robert Wingfield Knight, and their Heirs.

On Wednesday the 25th day of June, Three Bills of no great moment had each of them one reading; of which the second being the Bill for the avoiding of Recoveries suffered by Collusions of Tenants for Term of life and such others, was read *secunda vice*, but no mention is made that it was either referred to Committees or Ordered to be ingrossed, because it had been sent formerly from the House of Commons.

The Bill for the Inning of Plumsted-Marsh in the County of Kent, being surrounded, was returned from the House of Commons *conclusa*.

On Thursday the 26th day of June, The Bill for the assurance of certain Lands and Tenements, to the maintenance of a Sermon to be had in the Church of St Paul in London every Holyday in the Afternoon for ever, was read *secunda vice*; but no mention that it was committed or Ordered to be engrossed, because it had been formerly sent from the House of Commons.

Five Bills were brought up to the Lords from the House of Commons; of which one was the Bill touching Mary Daughter and Heir of James the Fifth late King of Scots, commonly called the Queen of Scots, and another for the Reformation of the inordinate length of Kerfies.

Nine Bills also of no great moment had each of them one reading; of which the first being the Bill for the better assurance of Gifts, Grants, &c. made and to be made, to and for the relief of the Poor in the Hospitals within and near unto the City of London, of Christ, Bridewell, and St Thomas the Apostle, with a Proviso and certain amendments added by the Lords, was Ordered to be ingrossed.

And the second being for avoiding of Recoveries suffered by Collusion of Tenants for term of life and such others, was read *tertia vice & conclusa, & commissa Solicitatori Reginae & Doctori Lewes in Domum Communem deferend.*

On Friday the 27th day of June, Three Bills were brought up to the Lords from the House of Commons; of which the last being the Bill for

the continuance of certain Statutes with certain amendments, and a Schedule thereunto annexed being thrice read, was concluded.

The Bill for the Explanation of the Statute for Fugitives over the Seas, with a new Proviso added by the Lords, and the Bill touching the Free-School of Tunbridge with a new Proviso, were each of them read *tertia vice & conclus., & Commis. Solicitatori Reginae in Domum Communem deferend.*

Memorand. Quod hoc praesenti 27 die Junij, Anno Regni Elizabethae Reginae 14. Andreas Fisher de Graies-Inne in Com. Midd. Gen. & Henricus Fisher de Greves-Norton in Com. Northampton Gen. coram Domina Regina in Cancellaria sua personaliter constituti recognoverunt se debere Johanni Ryvers Civi & Aldermanno de London, tres mille libras legalis Monetae Angl. solvend. eidem Johanni, &c. nisi fecerint, &c.

The Condition of this Recognizance is such, That if they above-bound Andrew Fisher and Henry Fisher, and either of them, and the Heirs and Assigns of them or either of them do well and truly stand to, perform and accomplish, and cause to be performed and accomplished all such award, order and direction, as shall be made and Ordained by the Right Honourable Thomas Earl of Suffex, Francis Earl of Bedford, Robert Earl of Leicester, and William Lord Burleigh, or any three of them, for and concerning all and singular those Messuages, Lands, Tenements and Hereditaments, which heretofore were bargained and sold by Henry Fisher Father of the said Andrew and Henry to one Richard Smith Citizen of London, and now or late in the Tenure or Occupation of John Rivers Citizen and Alderman of London, or of any his Tenants or Farmers, and for the right Title, Inheritance and Possession of the same, so that the said award, order or direction be had and made in writing, under the hands and Seals of them or three of them, on this side and before the Nativity of our Lord next coming; That this Recognizance to be void, otherwise to remain and abide in his full force, strength and effect.

Memorand. That the two Brethren Recognitors in consideration that Alderman Ryvers his Cause touching the purchasing of certain Lands *bona fide* mentioned in the said Bill Exhibited in this Parliament for the said School may remain unholpen and be excepted out of the said Bill, were contented, and by way of Petition have submitted themselves to abide the Order and Determination of the Earl of Suffex, the Earl of Bedford, the Earl of Leicester, and the Lord Burleigh, or three of them, so as the same be made on this side the Feast of the Birth of our Lord God next: For the more sure performance whereof, not only they acknowledged this Recognizance of three thousand pound, but also of their own offer they yielded their Bodies to be Prisoners in the Queens-Bench, where the Elder Brother then remained by force of an Execution at a Strangers Suit, there to remain until they

they did bring before the Lord Keeper of the Great Seal sufficient Sureties with them to be bound by Recognizance in the said sum of three thousand pound for the same.

Nota, That it should seem this business concerned the Free Grammar-School of *Tunbridge*, mentioned on *Monday* the 9th day, *Tuesday* the 10th day, and on *Wednesday* the 11th day of this instant *June* foregoing, in respect that certain Lands were to be purchased for it by the before-mentioned *John Rivers* Alderman of *London*, and thereupon this Recognizance, with the Condition thereof, came to be entred in the Original Journal-Book of the Upper House *de an. isto 14 Reginæ Eliz.*

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam post meridiem.

About which hour the Lord Archbishop of *Canterbury*, and divers other Lords meeting in the absence of the Lord Keeper, it doth not appear in the Original Journal-Book of the Upper House that any thing was done, but only the Parliament continued in manner and form following, *viz.*

Dominus Primarius Justiciarius Banci Regis continuavit præsens Parliamentum usq; in diem Crastinum hora octava.

On *Saturday* the 28th day of *June*, *Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam post Meridiem.* About which hour the Lord Keeper and divers other Lords both Spiritual and Temporal meeting, The Bill for the assurance of certain Lands and Tenements to the maintenance of a Sermon to be had in the Church of *S^t Paul* in *London* for ever, was read *tertia vice & conclusa.*

Two Bills were brought up to the Lords from the House of Commons; of which the first being the Bill for the assurance of certain Lands and Tenements to the maintenance of a Sermon to be had in the Church of *S^t Paul* in *London* for ever, was read *tertia vice & conclusa.*

The Bill for the assurance of certain Lands for the maintenance of the Poor in the Hospitals, was read *tertia vice & conclusa*, with a new Proviso added thereunto by the Lords, and *commissa Doctori Lewis & Doctori Huick in Domum Communem deferend.*

The Bill against the excessive length of Kernes was read *secunda & tertia vice & conclusa.*

Two Bills were brought up to the Lords from the House of Commons; of which the first being the Bill for the assurance of Gifts, Grants, &c. made for the relief of the Poor in Hospitals, &c. was returned *conclusa.*

The Bill for the repeal of a Statute made *an. 8 Reginæ Eliz.* for the Town of *Shrewsbury* was read *tertia vice*, with a Proviso added thereunto by the Lords, *quæ conclusa est*, and sent to the House of Commons by *D^r Lewis* and *D^r Huick.*

On *Monday* the 30th day of *June*, to which day the Parliament had been on *Saturday* last continued, The Bill for the reviving of a Statute

made *an. 8 Eliz.* for the Town of *Shrewsbury* was returned from the House of Commons *conclusa.*

The Bill against delays in Judgment in the Common Law was read *secunda vice*, but there is no mention made that it was either Ordered to be ingrossed or referred to Committees, because it had been sent from the House of Commons on *Saturday* the 28th day of this instant *June* immediately foregoing.

In the Parliament Chamber where the Lords Spiritual and Temporal Assembled the day above-said in *an. 14 Regin. Eliz. &c.*

Whereas, upon Complaint and Declaration made to the said Lords Spiritual and Temporal by *Henry Lord Cromwell*, a Lord of the Parliament, that in a Case between one *James Tavernor* against the said Lord *Cromwell*, depending in the Court of Chancery, for not obeying to an Injunction given in the said Court of Chancery, in the absence of the Lord Keeper of the Great Seal, at the Suit of the said *Tavernor*, the person of the said Lord *Cromwell* was by the Sheriff of the County of *Norfolk* attached by virtue of a Writ of Attachment proceeding out of the said Court of Chancery, contrary to the antient priviledge and immunity time out of memory unto the Lords of Parliament and Peers of this Realm in such case used and allowed, as on the behalf of the said Lord *Cromwell* was declared and affirmed, wherein the said Lord *Cromwell* as a Lord of Parliament prayed remedy.

Forasmuch as upon deliberate Examination of this Case in the said Parliament Chamber, in the presence of the Judges and other of the Queens Majesties Learned Council there attendant in Parliament, and upon Declaration of the opinions of the said Judges and Learned Council, there hath been no matter directly produced or declared whereby it did appear or seem to the said Lords of Parliament there Assembled, that by the Common Law or Custom of the Realm, or by any Statute Law, or by any President of the said Court of Chancery it is warranted, that the person of any Lord having place and voice in Parliament in the like case in the said Court of Chancery before this time hath been Attached, so as the awarding of the said Attachment at the Suit of the said *Tavernor* against the said Lord *Cromwell* for any thing as yet declared to the said Lords, appeareth to be derogatory and prejudicial to the antient priviledge claimed to belong to the Lords of this Realm.

Therefore it is the day and year aforesaid Ordered by consent of all the said Lords in Parliament there Assembled, that the person of the said Lord *Cromwell* be from henceforth discharged of and from the said Attachment. Provided nevertheless, and so is the mind of the said Lords in Parliament plainly by them with one assent declared, That if at any time during this Parliament or hereafter in any other Parliament there shall be shewed sufficient matter that by the Queens Prerogative, or by the Common Law or Custom of this Realm, or by any Statute Law or sufficient

Presidents, the person of any of the Lords of Parliament in such Case, as this Case of the Lord Cromwell is, ought to be attached or attachable, then and from thenceforth it is by this order intended, that to take place, which so shall be shewed and warranted as above is said, This Order or any thing therein to the contrary notwithstanding.

In the Original Journal-Book of the Upper House is no entrance of any continuance of the Parliament which seemeth to have been omitted through the negligence of *Anthony Mason Esq;* at this time Clerk of the same House; although it may very easily be gathered that the Parliament was continued unto some hour in the Afternoon of this present day: and most probable it is, that it was continued by the Lord Keeper, because it appeareth without all question that he was present in the Afternoon.

Post Meridiem.

In the Afternoon the Queens Majesty, as may easily be gathered, was present with the Lord Keeper and divers Lords Spiritual and Temporal, but their names through the great negligence of the above-named *Anthony Mason Esq;* are not at all noted with the mark of being present, neither are any of the passages of this Afternoon there entred, saving only the Adjournment of the Parliament; although it be most certain, that her Majesty being present this Afternoon did put an end to this Session of Parliament, by giving her Royal Assent to thirteen publick Acts, and four private. But yet there passed no Bill of her Majesties free and general pardon to the Subject, nor of any Subsidies from them to her Majesty; and the reason of it is plain, because this Session of Parliament (although some Statutes did of course pass in it) was doubtless convoked chiefly for that great business touching the Scottish Queen, of which there are divers passages in this proceeding Journal, which see on *Monday* the 12th day, and on *Wednesday* the 28th day of *May*, on *Tuesday* the 10th day, and on *Thursday* the 26th day of this instant *June* foregoing.

And therefore now lastly, as touching the manner of her Majesties giving her Royal Assent to such Acts as passed, in respect that it is matter of form and seldom differeth, it is therefore supplied (omitting that only which concerns the Bills of Subsidy and Pardon) out of a draught thereof set down in the end of the Original Journal-Book of the Upper House in the Parliament *de an. 39 Regin. Eliz.* although it be omitted in that of this present Session of Parliament.

To every publick Act that passed, after that it had been read, the Clerk of the Upper House standing up did openly pronounce her Majesties Allowance in these French words following.

La Roigne le veut.

To every private Act that passed, the said Clerk read the Queens Answer in these French words following.

Soit fait come il est desiré.

These two last Answers to the publick and private Acts that pass are to be written by the said Clerk at the end of every Act.

To such Acts as her Majesty doth forbear to allow, the Clerk of the Parliament read in these French words following.

La Roigne s'advise.

The several Acts being thus passed, the next matter that followed was the Adjournment of the Parliament, which is Entred in the Original Journal-Book of the Upper House in the manner and form following.

Dominus Custos magni Sigilli ex Mandato Dominae Reginae adjournavit praesens Parliamentum usque in festum omnium Sanctorum proximum futurum.

By the Entrance of which Adjournment it doth plainly appear that her Majesty was present, in respect that it is said, that the Lord Keeper Adjourned the Parliament, *ex mandato Dominae Reginae.*

And it is also worthy the observation, that as the greatest part of the passages of this foregoing *Monday* (on which this Session of Parliament ended) are through the great negligence of *Anthony Mason Esq;* at this time Clerk of the Upper House, wholly omitted in the Original Journal-Book of the same; so also by a like negligence are all those many and several Prorogations buried in Silence, by which this Parliament was continued without Dissolution until the next meeting thereof on *Wednesday* the 8th day of *February* in the eighteenth year of her Majesties Reign, which was the second Session of this present Parliament, and held about four years after the determination of this first Session by Adjournment as aforesaid: so that it is very probable, that there are not less than twenty several Prorogations. For between that foresaid second Session in *an. 18 Reginae Eliz.* and the third Session of this present Parliament in *an. 23 Reginae ejusdem*, which contained not above one years space more than had intervened between the two former Sessions, there passed at least twenty five Prorogations, as doth plainly appear in the end of the Original Journal-Book of the Upper House in the said Session of Parliament, *de an. 18 Reginae praedict.* where they are for the most part set down either abstractedly or at large.

And lastly, As touching the great business of the Scottish Queen so much and so long agitated in both Houses, it did at this time receive no period or conclusion, but in this Session of Parliament in *an. 14 Reginae Eliz.* an Act passed both Houses against her; and lastly, in the Parliament *de an. 28, & 29 Reginae ejusdem*, she was (a little before her Execution at *Fortheringhay-Castle* in *Northamptonshire*) Condemned to be Worthy of Death by the Vote of both the said Houses of Parliament.

THE JOURNAL OF THE House of COMMONS.

A Journal of the Passages of the House of Commons in the Session of Parliament holden at Westminster, An. 14 Reginæ Eliz. A. D. 1572, which began there on Thursday the 8th Day of May, and then and there continued until the Adjournment thereof on Monday the 30th and last Day of June next ensuing.

THIS Journal of the House of Commons containeth in it not only many good passages touching the ordinary reading, committing and expediting of Bills, but is plentifully stored also with the frequent agitation and discussion of that great business touching the Scottish Queen, whose practices not only with *Thomas Howard Duke of Norfolk*, but also with the Foreign Enemies of her Majesty for the destruction and Invasion of the Realm are notably described; which also is much enlarged out of a written Copy I had by me of such reasons as were conceived in the House of Commons for her speedy Execution, and of the Petition also preferred to her Majesty to the same purpose: which said Reasons and Petition being not found in the Original Journal-Book of the House of Commons, I have therefore, to avoid confusion, distinguished by an Annotation or Animadversion from that of the Journal it self, where it hath in its due place been inserted. There passed also in this said Session a Bill against the said Queen of Scots, which is falsely referred in divers Copies thereof to the 23th year of her Majesty.

On *Thursday* the 8th day of *May*, this first Session of the fourth Parliament of her Majesties Reign beginning at *Westminster*, The Right Honourable the Earl of *Lincoln*, High Admiral of *England*, and by her Highness appointed Lord Steward for this present time, came to the Lower House of Parliament accompanied with divers others of her Majesties most Honourable Privy-Council, viz. Sir *Francis Knolles* Knight, Treasurer of her Highness most Honourable Household,

Sir *James Crofts* Knight, Comptroller of the same, Sir *Ralph Sadler* Knight, Chancellor of her Majesties Dutchy of *Lancaster*, and Sir *Walter Mildmay* Knight, Chancellor of her Highness Court of Exchequer: And did then and there minister the Oath unto all the Knights, Citizens, Burgeses and Barons then and there Assembled; The said Earl of *Lincoln* Constituting and Authorizing the said Sir *Francis Knolles*, Sir *James Crofts*, Sir *Ralph Sadler* and Sir *Walter Mildmay* to be his Deputies in and for the more speedy ministrati- on of the said Oath, according to the Statute in that behalf lately made and provided, unto all such others of the said Knights, Citizens, Burgeses and Barons as should happen afterwards to appear upon any return during this present Parliament.

This day *Robert Bell* of the Middle-Temple *London* Esq; was Chosen Speaker for this present Parliament. But whether her Majesty were this day in Person in the Upper House, or by what Authority from her said Highness the said Speaker was Elected, cannot possibly be gathered out of the Original Journal of the said Upper House, or that of the House of Commons, but elsewhere it appears the Lord Keeper gave them Authority in the end of his Speech on *Thursday* foregoing.

On *Saturday* the 10th day of *May*, Mr Speaker was by the House presented to the Queens Majesty, and of her Highness well accepted and allowed; who after his Oration made and the Ordinary Petitions granted, repaired to the House of Commons; and being set in the Chair received the Oath. After which according to the usual form was read,

The Bill concerning Bayles to be taken in the Court of Common-Pleas, was read the first time.

On *Monday* the 12th day of *May*, Four Bills of no great moment had each of them their first reading; of which the third being the Bill for Proclamations to be made in Parish Churches and Chappels before Outlawries, was committed unto Mr *Gent*, Mr *Robert Snagg*, Mr *Fenner*, Mr *Humberston*, Mr *Flowerdue*, Mr *French* and Mr *Boyes*: who were appointed to meet this Afternoon at two of the Clock in the Temple Church.

The Lords did send Sir *Richard Read* and Mr *D^r Huick*, to require Mr *Speaker* and this whole House forthwith to make their repair unto their Lordships in the Upper House, and upon their repair thither the Lord Keeper signified unto them, that the Queens Majesties Pleasure is, that twenty one of the said Upper House and forty four of this House should meet to Morrow in the Morning at eight of the Clock in the Star-Chamber, then and there to consult and deliberate upon matters concerning the Queen of *Scots*. Whereunto were appointed of this House,

Mr *Treasurer*.
Mr *Comptroller*.
Mr *Chancellor of the Dutchy*.
Mr *Chancellor of the Exchequer*.
My Lord Deputy of *Ireland*.
Sir *Maurice Berkeley*.
Sir *Hugh Pavlet*.
Sir *Thomas Scott*.
Sir *Owen Hopton*.
Sir *Nicholas Arnold*.
Sir *John Thinne*.
Sir *Hen. Gate*.
Sir *Rowland Hayward*.
Mr *Doctor Wilson*.
Mr *Attorney of the Dutchy*.
Mr *Recorder of London*.
Mr *Serjeant Manwood*.
Mr *Serjeant Geffry*.
Mr *Mounson*.
Mr *Sands*.
Mr *Popham*.
Mr *Telverton*.
Mr *Coleby*.
Mr *Heneage*.
Mr *Charles Howard*.
Mr *Hatton*.
Mr *Asteley*.
Mr *Shute*.
Mr *Hen. Knolles Sen.*
Mr *Hen. Knolles Jun.*
Mr *Peter Wentworth*.
Mr *Sampole*.
Mr *Norton*.
Mr *William Moor*.
Mr *John Vaughan*.
Mr *Tho. Randall*.
Mr *John Vaughan of Caermarthen*.
Mr *Greenfield Sen.*

Mr *Charles Somerset*.

Mr *Hen. Killegrew*.

Mr *William Gerrard*.

Mr *Dalton* and

Mr *Peacock*.

Vide concerning this matter on *Thursday* the 26th day of *June* following.

On *Tuesday* the 13th day of *May*, the Bill for the Almelhouse of *Plymouth* in the County of *Devon*. was read the second time, and committed unto Mr *Edward Stanhope* and Mr *Robert Snagg*, and by them in certain points amended and returned again.

Five Bills also of no great moment had each of them their first reading; of which the first was against fraudulent Conveyances and secret Estates of Lands; and the second for Christs Hospital.

On *Wednesday* the 14th day of *May*, Two Bills of no great moment had each of them one reading; of which the second being the Bill that Tenants and Defendants in Actions may pray a *Tales de circumstantibus* as well as Plaintiffs and Defendants, was read the first time and delivered to Mr *Fleetwood* to be augmented for the Counties Palatine.

The Bill lastly for Explanation of a Statute made, that the Lands and Goods of Tellors and Receivors should be liable to the payment of their Debts, was read the second time, and committed unto Sir *Walter Mildmay*, Mr *Wilbraham*, Mr *Fane*, Mr *Norton*, Mr *Sampoole* and Mr *Robert Snagg*: who were appointed to meet at three of the Clock at Sir *Walter Mildmay's* House.

On *Thursday* the 15th day of *May*, Mr *Attorney General* and Mr *Sollicitor*, were sent from the Lords to require Mr *Speaker* that a convenient number of this House should attend upon their Honours in the Council-Chamber for Conference; and signified that they had good liking of the first Committees for that purpose on *Monday* last. Whereunto the House being moved by Mr *Speaker* fully assented.

And upon the repair of the said Committees to the Lords and their return to this House again, it was declared by Mr *Treasurer*, that the said Lords had appointed to meet in the Afternoon at two of the Clock in the Star-Chamber, willing them to attend them there for further direction, and a Plot to be devised for their manner of proceeding in the matter concerning the Queen of *Scots*. *Vide de ista materia* on *Thursday* the 26th day of *June* ensuing.

The Bill for the due Execution of the Statute for Weights and Measures, and reformation of the abuses of the Clerk of the Market, was read the first time.

On *Friday* the 16th day of *May*, A Motion being made whether it were convenient that this House and the Lords should join in Petition to move the Queens Majesty for the Execution of the Duke of *Norfolk* (who was afterwards Beheaded on the *Tower-Hill* on the 10th day of *June* following)

following) or that the common opinion of this House touching necessary Execution to be done upon him were meet to be signified unto her Highness, as their general Resolution. And upon the Question all the House thought that the general resolution was meetest to be signified unto her Majesty, but not by way of Petition or direction of this House.

Two Bills also of no great moment had each of them one reading; of which the second being the Bill against fraudulent Conveyances and secret Estates of Lands, was read the second time and committed unto Sir *Hen. Gates*, Sir *Nichol. Arnold*, Mr Recorder, Mr *Mounson*, Mr *Fenner*, Mr *Edward Stanhoppe*, Mr *Snagg*, who were appointed to meet in *Lincolns-Inn-Hall* this Afternoon at two of the Clock, and to return the Bill to Morrow.

On *Saturday* the 17th day of *May*, Five Bills of no great moment had each of them their first reading; of which the last being the Bill that Patrons shall not lose their Presentations by lapse without notice when the Incumbents take another Benefice, was read the first time.

Upon sundry Motions made by divers of this House, it was Ordered, that *Arthur Hall* Esq; for sundry lewd Speeches used as well in this House as also abroad elsewhere, shall have warning by the Serjeant to be here upon *Monday* next, and at the Bar to answer to such things as he shall then and there be charged with.

And it was further Ordered, that all such persons as have noted his words in writing, either in this House or abroad, do forthwith assemble in the Chamber above, and put the same words in writing, and afterwards deliver them to Mr Speaker, to the end he may charge the said *Hall* on *Monday* next. On which said day see more concerning this matter.

On *Monday* the 19th day of *May*, Four Bills of no great moment had each of them one reading; of which the last being a Bill for the Repeal of a former Statute made for the Town of *Shremfbury*, was read the second time, and Ordered to be ingrossed.

The Bill for Explanation of 32 H. 8. for Recoveries, was read the second time, and committed unto the Master of the Wardrobe, Sir *Nicholas Arnold*, Mr Attorney of the Court of Wards, Mr *French*, Mr *Bowreman*, and Mr *Snagg*.

Wednesday next was appointed unto *Lodwicke Grevill* Esq; to make his appearance in this Court at the same hour he should have appeared this present day.

The Bill concerning Presentations by Law was read the second time and Ordered to be considered of by Mr *Tho. Browne*, Mr Doctor *Tale*, Mr *Wolley*, Mr *French*, Mr *Baber*, Mr *Jeoffrey*, Mr *Gates* and Mr *Bowreman*: who were appointed to meet this Afternoon in the *Middle Temple Church*.

Mr Doctor *Lewes* and Mr Doctor *Vanghan*, brought from the Lords a Bill touching Va-

gabonds, and for relief of the Poor.

The Bill concerning Rites and Ceremonies was read the second time, and Ordered to be ingrossed.

Mr Doctor *Tale* and Mr Doctor *Huick* brought from the Lords a Bill against the Forging of Foreign Coin not currant within this Realm.

Four Bills also of no great moment had each of them one reading; of which the second being the Bill against the deceits of Under-Collectors of the Tenths and Subsidies of the Clergy, was read the second time and Ordered to be ingrossed.

Mr Attorney of the Court of Wards in the name of all the Committees in the great cause (whose names see on *Monday* the 12th day of this instant *May* foregoing) made report unto the House of their Conference therein had with the Lords; which being done, after sundry Speeches it was upon the Question resolved by the House, for the better safety and preservation of the Queens Majesties Person, and the present State, to make choice of proceeding against the Scottish Queen in the highest degree of Treason, and therein to touch her as well in Life as in Title and Dignity, and that of necessity with all possible speed by the whole Voice of the House.

But upon what occasions or motives the House grounded this their advice and resolution, doth not appear in the Original Journal-Book of the same: But most probable it is, that they were the same which remain in written Copies in many hands, though falsely attributed to have been presented unto her Majesty in the Thirteenth Year of her Reign: whereas it appears plainly by both the Original Journal-Books of the Upper House and House of Commons, and by all other Monuments of the Parliament *de an. 13 Regis. Eliz.* that there was not so much as any mention made of the Queen of Scots or her dangerous practices, which were so much and so often agitated in this present Session *de an. 14*. And therefore it being so plain that they were tendred unto her Majesty in this said present Session, and being also most likely that they were at this time framed in the House of Commons, and were the cause of this dayes above-recited Resolution, although it doth not certainly appear that they ought to be referred to this very place; yet I thought good to have them inserted here in manner and form following. Which said reasons (as is very probable) were presented unto her Majesty the 28th day of *May* ensuing.

Reasons to prove the Queens Majesty bound in Conscience to proceed with Severity in this Case of the late Queen of Scots.

THE Word of God which is the only Director of Consciences, and a certain Rule for all Estates and Offices, doth often and most earnestly teach, that Godly Princes or Magistrates not only in Conscience safely may, but also in Duty

Duty towards God ought severely and uprightly to administer Justice.

For this is one of the Principal Causes for the which the Providence and Wisdom of God hath ordained Magistrates in Common-Wealths, that they might by Justice and punishment according to the greatness of the offences repress the wickedness of Mankind, whereunto by corruption of nature they are inclined.

The Magistrate (as St Paul saith, Rom. 13.) is the Minister of God and the Revenger of wrath towards him that hath done evil, &c. And St Peter, 1 Pet. 2. Be subject to the King as to the Chief, or to the Under-Rulers as sent of him ad vindictam nocentium, to the punishment or revengement of Offenders, and to the praise of them that do well.

If the Magistrate doth not this, God threatneth heavy punishment. *When you were* (saith Wisdom to Princes, Sap. 6.) *the Ministers of his Kingdom, you have not Executed Judgment rightly, nor kept the Law, nor walked according to his Will. Horrible therefore and right soon shall he appear unto you: for an hard Judgment shall they have that bear rule. Potentes potenter tormenta patientur.*

Now then if the Magistrate be the Minister of God, in his name and authority to punish the wicked according to the Measure of their offences, and are threatned grievous punishment if they do not; and on the other Party, the late Scottish Queen hath offended in two highest degrees both concerning Gods Religion and the disinheriting and destruction of our Prince: we see not but her Majesty must needs offend in Conscience before God, if she do not punish her according to the measure of her offence in the highest degree.

Small punishment for great offences in respect of any person is partiality and slack Justice, which God above all things in Judgment forbiddeth. *Consider not* (saith God) *the person of the poor, nor honour the Countenance of the rich, Levit. 19.*

It is not good (saith Solomon, Prov. 18.) *to consider the person of the wicked thereby to decline from the truth of Judgment.*

And Jesus Sirach, *Make no labour to be a Judge, except thou have that stoutness that thou mightily mayest put down wickedness: for if thou stand in awe of the mighty, thou canst not but fail in giving Sentence. Eccus. 7.*

Wherefore whether the late Queen of Scots be Queen or Subject, be Stranger or Citizen, be Kin or not Kin, by Gods word for so great offences she should have the just deserved punishment, and that in the highest degree.

The second Reason. When God by his just Providence doth commit any grievous Offendor into the hands of a Prince or Magistrate as to his Minister to be punished; he ought to fear the heavy displeasure of God if by any colour he do omit the same. *Non enim hominis Judicium est, sed Dei; & maledictus est qui facit opus Domini fraudulenter vel negligenter: For God often*

times brings Sinners to punishment for other offences than those that are known and appear to the World. And therefore hath he shewed himself grievously displeased when such by colour of Mercy and Pity in Princes have escaped just Judgment.

Because Saul spared Agag, (1 Reg. 15.) although he were a King, God took from the same Saul his good Spirit, and transferred the Kingdom of Israel from him and from his Heirs for ever.

When Ahab spared Benhadad the King of Syria by his unreasonable Clemency, though he were a great Prince, God willed the Prophet to say unto him, *Because thou hast let escape out of thy hands the man that I would have to die, thy life shall be for his life, and thy people for his people.*

In these Examples great pretence might be made for Mercy for sparing of them, and great reproach of bloodiness and Cruelty in the contrary; but we see how God judged them.

The late Queen of Scots being a grievous Offendor divers ways both before she came into this Land and afterwards also, hath been by Gods special and remarkable Providence put into the Queens Majesties hands to be punished, and that far more notably than Agag and Benhadad were put into the hands of Saul and Ahab.

Therefore it is greatly to be feared if she escape as Benhadad did under pretence of mercy and favourable dealing, that Gods heavy displeasure will for the same, light both upon the Prince and the Realm, as it did upon Ahab and the Israelites shortly after.

This Sentence of the Prophet (as it is for certain reported) was spoken to the Lord James now Regent in Scotland, when with too much lenity he proceeded therein; it hath followed too true in him, the Lord turn it from our Gracious Sovereign.

The third Reason. Every good Prince ought by Gods Commandment to punish even with Death all such as do seek to seduce the People of God from his true worship unto Superstition and Idolatry. For that offence God hath always most grievously punished, as committed against the first Table, Deut. 13. His words are these: *If thy Brother the Son of thy Mother, or thine own Son, or thy Daughter, or thy Wife that lieth within thy Bosom, or thy Friend which is as thine own Soul unto thee, shall entice thee saying, Let us go and serve strange Gods, &c. Thou shalt not consent unto him nor hearken unto him; thine Eye shall not pity him, neither shalt thou have compassion upon him, nor keep him secret; but cause him to be slain; thine own hand shall be first upon him to kill him, &c. And afterwards addeth, and all Israel shall fear to do any more* such wickedness.

The Residue of that Chapter afterwards containeth more grievous matter, which we would wish all them to read that in great offences under the colour of pity are loth to have sharp punishment used.

Here you may perceive that God willeth his Magistrate not to spare either Brother or Sister, Son

Son or Daughter, Wife or Friend, be he never so nigh, if he seek to seduce the People of God from his true Worship; much less is an Enemy and Traitor to be spared. Yea, and he addeth the cause why he would have such sharp punishment used in such Cases, *That Israel may fear to do the like.*

But the late Queen of Scots hath not only sought and wrought by all means she can, to seduce the people of God in this Realm from true Religion; but is the only hope of all the Adversaries of God throughout all Europe, and the Instrument whereby they trust to overthrow the Gospel of Christ in all Countries. And therefore if she have not that punishment which God in this place aforementioned appointeth; It is of all Christian hearts to be feared, that Gods just Plague will light both upon the Magistrates and Subjects: but that by our slackness and remiss Justice we give occasion of the overthrow of Gods Glory and truth in his Church mercifully restored unto us in those latter days.

Constantinus Magnus caused *Licinius* to be put to Death, being not his Subject but his Fellow-Emperor, for that the said *Licinius* laboured to subvert Christian Religion. And the same *Constantinus* is for the same in all Histories highly commended. Much more shall it be lawful for the Queens Majesty to Execute this Woman, who besides the Subversion of Religion hath sought the Life of the same our Gracious Sovereign.

The Fourth Reason. It is dangerous for any Person being a Prince, both for his own State as also for that punishment which may come from Gods hand, by slackness of Justice in great offences to give occasion by hope of impunity of the increase of like wickedness.

Joab being spared of *David* for Murthering *Abner*, killed *Amasa* also.

Because *Amnon* was winked at by his Father for committing Rape and Incest with his own Sister, *Abshalom* under hope of like Impunity was emboldened to murder his Brother *Amnon*.

But look, I pray you, how grievously God punished that slack Justice of *David* coloured with a tender heart towards his Children. Did he not suffer, yea and by his just Judgment raise one of his own Sons towards whom he used that excessive tendernefs and pity to rebel against him and drive him out of his own Kingdom?

The late Scottish Queen hath heaped up together all the Sins of the Licentious Sons of *David*, Adulteries, Murders, Conspiracies, Treasons, and Blasphemies against God also; and if she escape with small punishment, her Majesty in Conscience ought, as also good and faithful Subjects to fear that God will reserve her as an Instrument to put her from the Royal Seat of this Kingdom, and to plague the unthankful and naughty Subjects. *Quod omen ut Deus avertat precamur.* Shall we think that God will not plague it? Surely our hearts do fear he will do it grievously.

The fifth Reason. A Prince ought in Conscience before God by all the means he can to see to the Quietness, Safety and good Estate of that People over which God hath appointed him Governour.

For in the Prophets oftentimes under the names of Pastors and Watchmen he threatneth great punishment to Princes and Governours for the contrary; especially in *Ezechiel* 33, and 34. And signifieth, that if his People perish either in Soul or Body, by slackness in administering justice or by any other mis-government, God will require their Blood at the Princes hands; which places as they may be applied to Prophets and Teachers, so do they not exclude but principally comprehend Kings and Magistrates, as *Hieronymus* noteth in *Ezechiel* 33. the words of the Prophet are these, viz.

If the Watchmen see the Sword and blow not the Trumpet, so that the people is not warned; If the Sword come then and take any man from among them, the same shall be taken away in his own sin from among them, but his Blood will I require at the Watchmans hand. *Ezechiel* 33.

And again, *Woe unto the Shepherds that destroy and scatter my Flock, saith the Lord, &c. You scatter and thrust out of my Flock and do not look upon them: Therefore will I visit the wickedness of your imaginations, &c.* *Jer.* 23. By these and such other words in many places God signifieth, if his People perish either in Soul or Body by the slack or remiss Government of them that are appointed Rulers over them, and as it were Shepherds and Herdsmen to keep them from danger, that he will require the Blood of his people at their hands.

But the late Scottish Queen with her Allies by the pretended Title, and other wicked, devilish and Traiterous devices and workings, is like to bring confusion to this Realm of England and the People thereof, as evidently appeareth to all good and faithful Subjects. Therefore the Prince offendeth grievously before God, and is in danger of the Blood of Gods People, if for the safety of the same she doth not cut her off.

3 Reg. 2. *Solomon* a Wife and godly Prince spared not his own natural, yea and his Elder Brother *Adonijah*, for suspicion and likelihood of Treason, and for a Marriage purposed only but put him to Death for the same, and that speedily without course of Judgment, lest by delay trouble and danger might have ensued, not only to his own Person being Prince and Chief Minister of God in that Land, but also to that People over which he had charge, and for safety whereof in Conscience he was bound to deal. He would have thought it a great burthen to his Conscience if by the sparing of one mans Life, were he never so nigh of Blood unto him, he would have hazarded the Seat in which God had placed him, and the Blood of many thousands of his People which by a Rebellion might have been spent.

But this Woman and her greatly desired Husband,

band, as she pretendeth, have put far more hainous matters in Execution: wherefore her Case standing as it doth, there is no scruple in Conscience to proceed with Severity, but great danger in Conscience for dealing too mildly and contrary to Order of Justice, making the punishment less than the offence, with the danger of her Majesties own person, the hazard of the Realm, and the Subversion of Gods Truth.

The sixth Reason. It is dangerous for any Christian Prince and contrary to the word of God, with colour of Mercy and Pity, to do that whereby he shall discourage and kill the hearts not only of his own good Subjects and faithful Councillors, but also of all other Nations faithfully professing Gods Religion and his true worship, as may well appear in the Example of *David*.

David having this infirmity of too much Pity and Indulgency towards Offenders, which is not of any Prince to be followed, did forbid that his Traiterous Son *Abolom* should be slain; and when he was killed, effeminately he bewailed the same to the discouraging of his People: but he was sharply rebuked by *Joab* his Councillor saying, *Thou hast shamed this day the faces of thy Servants which have saved thy life and the life of thy Sons, &c. Thou lovest those that hate thee, and thou shewest this day that thou passest not for thy Captains and thy Servants; And now I perceive if Abolom had lived and all we had been slain, it would have pleased thee well.*

What inconvenience was like to follow unto *David* by this doing, and what other good direction may be taken out of this History well considered, for brevities sake we leave to the Consideration of wise Princes and Governours.

When *David* was so much moved with these words that he was contented to take another course, which turned both to the Comfort of his Subjects and his own benefit, the application needeth not.

If *David* were moved thus to do to the Comfort of his own Subjects only and the abashing of his own private Rebels; how much more have we to desire God to move the Queens Majesty, by the Execution of this Lady, to glad the hearts of all true Christians in *Europe*, and to abash and damp the minds of all the Enemies of God, and Friends of Antichrist?

Obj. It may be objected that thus to proceed is not Honourable for the Queens Majesty.

Responf. The shadow of Honour (as may evidently appear) deceived upon like occasion both King *Saul* in sparing *Agag* King of *Amaleck*, and King *Ahab* in receiving to his Mercy King *Benhadad*, as it is in the Example in the second Reason mentioned, who did pretend great honour in saving a King, and thought dishonour in the contrary, that one King should kill another; but mans Judgment and Gods in such cases are far diverse: for indeed Execution of Justice upon any person whatsoever, is and ever hath been accounted honourable.

Joshua a worthy Prince and Governour put to Death at one time five Kings, and that as might appear rudely, causing his Souldiers to set their Feet on their Necks and slay them, and willed them to be stout and not to fear to do it. *Joshua* 10.

We find also in the Scriptures that in this Zeal of Justice two wicked Queens, *Jesabel* and *Athaliah*, both inferior in mischief to this late Queen, have been by Gods Magistrates Executed, and the same Execution commended in Scripture.

Obj. It may be further objected that the Queens Majesty in so doing should exceed the limits and bounds of Mercy and Clemency.

Resp. Indeed a Prince should be merciful, but he should be just also. It is said *Misericordia & veritas custodiunt Regem*; but in the next Chapter it followeth, *Qui sequitur justitiam & misericordiam, inveniet vitam.* Pro. 20.

The Prince in Government must be like unto him who is not only amiable by Mercy, but terrible also by Justice; and therefore is called *Misericors & Justus Dominus*. Mercy oftentimes sheweth it self in the Image of Justice; Yea and Justice in Scriptures is by God called Mercy, *Psal.* 136. *Who smote Egypt with their first-born, for his mercy endureth for ever.* In that *Psalme* the smiting of *Egypt* with terrible Plagues, the destruction of *Pharaoh*, the killing of great and mighty Kings are called the merciful works of God, as indeed they were, but mercy towards the People of God, and not towards the Enemies of God and of his People.

Therefore as the Queens Majesty indeed is merciful, so we most humbly desire her that she will open her Mercy towards Gods People and her good Subjects, in dispatching those Enemies that seek the confusion of Gods cause amongst us, and of this noble Realm.

It may also be said that to spare one Person being an Enemy, a Stranger, a professed Member of Antichrist, and Convicted of so many hainous Crimes, with the evident peril of so many thousands of Bodies and Souls of good and faithful Subjects, may justly be termed *Crudelis misericordia*.

Petiliano objiciente Deum non delectari humano Sanguine: Respondet, Legimus multos à famulo Dei Moise Misericorditer interfectos. Nunquid crudelis effectus est, cum de monte descendens tot Millia juberet occidi? August. contra literas Petilian. li. 2. c. 86.

Saul & Jehosaphat Reges fuerunt populi Dei, & dum misericordiam iis quos Deus oderat præstiterunt, Dei offensam in opere pietatis incurrerunt. E contrario Phinehas filius; Levi gratiam Dei humanâ cæde & suorum parricidio meruerunt. Hierom.

The same *Hierom de Origine animæ*, saith the like, Sparing of evil persons is *misericors inobedientia*.

St Augustine also saith, *Sicuti est misericordia puniens, est etiam crudelitas parcens.*

Object.

Object. But happily it may be that some do discredit these reasons by the persons, when they cannot by the matter; and will put in her Majesties mind, that we in perswading her, respect our own danger and fear of peril coming to us, and not right and true judgment: Yea, and that it may appear very unseemly and worthy sharp reproof in a Bishop to excite a Prince to Cruelty and Blood, contrary to her merciful inclination.

Resp. As touching the first branch, Surely we see not any great continuance of danger likely to come unto us, more than to all good Subjects while this State standeth; and the State cannot lightly alter without the certain peril both of our Prince and Country. Now if our danger be joined with the danger of our Gracious Sovereign and natural Country, we see not how we can be accompted godly Bishops or faithful Subjects, if in common peril we should not cry and give warning: Or on the other side how they can be thought to have true hearts towards God and towards their Prince and Country, that will millike with us for so doing, and seek thereby to discredit us.

As touching the second branch, God forbid that we should be instruments to incense a merciful Prince to Cruelty and Bloodiness; neither can we think well of them or judge that they have true meaning hearts, that in the Minister of God and Officer do term justice and right punishment by the name of Bloodiness and Cruelty. God I trust in time shall open her Majesties Eyes to see and espy their cruel purposes under the Cloak of extolling mercy.

When the Prince or Magistrate is slack in punishing the sinful and wicked, the Bishop and Preacher is bound in Conscience before God to exhort him to more diligent and severe dealing therein, lest the Blood both of Prince and People be required at his hands.

3 Reg. 20. May the Prophet be accounted cruel to incite *Ahab* to Bloodiness, which so sharply rebuked him for his Clemency shewed towards *Benbadad*? May *Samuel* be justly named cruel, because in like case he reprov'd *Saul* for sparing the life of King *Agag*, and killed the said *Agag* with his own hands in the sight of the Prince?

What shall we say of the Prophet *Elias*, shall we call him Cruel because in the Zeal of Justice he killed all the false Prophets of *Baal*? Did not God approve his fact with the miraculous sending of abundance of rain after three years continual drought? But to those men I think God himself and his Angels will seem Cruel, and his Justice Cruelty; that they under the colour of mercy might be spared until time will serve to satisfy their own cruel hearts.

An Argument perswading that the Queens Majesty ought to have in Conscience a great care of the safety of her own person.

Every Prince being the Minister of God and a publick Person ought by Gods word to have an especial care of his own safety more than a private Person; and chiefly when the case so standeth, that the safety of his Realm and Countrey, and the true worshipping of God by Gods disposition may seem to depend on him.

But now so it is in the Queens Majesty, therefore in Conscience ought she to have a singular care of her safety, if not for her self sake, yet at the least for the furtherance of Gods cause and stay of her Country to the maintenance whereof she is bound before God.

Moses wished to be put out of the Book of Life for the safeguard of his People. *Exod.* 32.

Paul wished to be *Anathema* for his Brethren. *Rom.* 10.

Codrus and divers other Heathens gave away their Lives for the safety of their Countries. Contrariwise we wish and are humble Suitors, that it may please her Majesty to preserve her own Life, and to cut away the dangers thereof, if not for her own cause which happily her noble Courage doth smally regard, yet at the leastwise for Gods cause, and for her faithful and loving Subjects, whose Life and good Estate dependeth on her.

Obj. It may be objected, That her Majesty reposeth her trust and confidence in the Providence of God, and therefore maketh light of all attempts that her Enemies can work against her.

Respons. Surely it must needs be confessed, that the same proceedeth both of noble Courage and of a strong Faith and trust in God, and ought indeed to be the Bulwark of help and comfort to all good and godly Princes; yet so far as they seem not withal to tempt God by leaving that diligence and those ordinary means whereby he useth to save and deliver.

David knew himself to be Anointed and appointed *Israel* by God himself, yet he did not rashly cast himself into the hands of *Saul* his Enemy.

Jehosaphat and *Hezekias* in their great distresses undoubtedly had their chief trust and confidence in the Providence of God, but they ceased not both to shun and cut off all those things whereby danger might grow, and to use all means whereby their safety might be holpen.

It is alledged by Christ, *Thou shalt not tempt thy Lord God*; but surely it might have been as safe for Christ without tempting God to have cast himself down from the Pinnacle of the Temple, as for the Queens Majesty to suffer in her Bosom this poisonous Serpent, that ceaseth not continually to thrust the sting of her venomous workings into her Majesties safety and possession of her Crown.

It is well said, *Principum securitas paucorum vitâ redimenda est.*

There are divers Histories yea and Examples of late time whereby it hath been declared, that the tempting confidence of Gods Providence not shunning evident occasions of danger, hath fallen out to the extream hurt of the Parties, and on such as have depended on them; which we think not meet to recite, lest they might seem in this Case *Ominosa*, as God for his great Mercies sake forbid that they should be.

Many Reasons, Authorities and Examples more besides this may be taken out of the Holy Scriptures for Confirmation of this purpose; but for tediousness we thought good to omit them, and to leave the residue to God.

In the 20th Chapter of *Levit.* there is much like matter, and that in as earnest manner set forth; neither can any in Conscience think that this punishment was here by God appointed so grievous, only for those that then seduced the people of God to Gentilish and heathenish Idolatry; for Idolatry and false worship by whomsoever it be begun, though they bear the name of the Church or of the People of God never so much; It is a direct offence against the first Table; and therefore in Gods Judgment worthy no less punishment. Yea their offence must needs be more hainous in the sight of God, for that they have had greater opportunity to understand Gods true worship.

Shall any Christian man think, that the worship of God appointed in his Law being but the figure, was more acceptable and pleasant to God than this his true worship in the Faith of *Jesus*, according to the Gospel of our Redemption? or that the violating of the same, or seducing of his people from it, is in his Judgment less displeasing or not so grievously to be punished as was the breaking of his Law or the seducing from it? Shall we think that the gathering of a few sticks on the Sabbath Day is to be punished by Death in a poor simple person, and the seeking to subvert the Gospel of Christ and to draw the people of God to that Idolatrous Doctrine that teacheth to impute the merit of Christs Blood and Passion to wicked mens devices, yea to Stocks, to Stones, to Sticks, to Water, to Bells, &c. shall not be worthy the punishment of Death in a noble Person? God direct our Judgments otherways.

By these words of God before recited *Deut.* 13; if it be evident that God willed his Magistrates to spare neither Brother, nor Sister, nor Son, nor Daughter, nor Wife, nor Friend, though he were never so nigh, if he sought to seduce the people of God from his true worship, how much less is an Enemy, a Traytor, and an Adulterer to be spared?

These Reasons for the speedy Executing of the Scottish Queen (being part of those contained in the written Copy of the said Reasons I had by me, and of which the latter part containeth the Petition of the House to her Majesty, which see Entred

at large in their proper places on *Thursday* the 28th day of this instant *May* ensuing, are transcribed out of the said written Copy, and are added to this days passages, because it is very probable the House did ground their before-mentioned resolution upon them; although not only the day on which they were first digested in the House be there omitted, but also the very year is through the Error (as it should seem) of some transcriber falsly set down to have been the Thirteenth of her Majesty, in which Parliament the matter of the Scottish Queen was not at all mentioned, nor at all dealt in by the House of Commons until this present Session of Parliament in *an. 14 Regine Eliz.* as doth appear plainly by the Original Journal-Book of the same House. And now follows the residue of this days Passages, as also the greatest part of the business of this ensuing Parliament out of the said Original Journal-Book of the same.

This day *Arthur Hall* Esq; being brought by the Serjeant to the Bar and Charged by the House with seven several Articles, humbly submitted himself to the House, and confessed his folly as well touching the said Articles, as also his other fond and unadvised Speech at the Bar, and was upon the question remitted with a good Exhortation given him by Mr Speaker at large. *Vide* concerning this matter on *Saturday* the 17th day of this instant *May* foregoing.

The Bill for the Jurors of *Middlesex* was committed unto Mr *Robert Wroth*, Mr *Newdigate*, Mr *Dalton*, Mr *Cromwell*, and Mr *Gent*.

On *Tuesday* the 20th day of *May*, the Bill for the Assurance of Lands late of Sir *William* and Sir *Thomas Woodhouse* Knights deceased, was read the first time and referred unto Sir *John Thynne*, Sir *Robert Wingfield*, Mr *Moore*, Mr *Grimston*, Mr *Norton*, and Mr *Snagg*, to confer with the Parties and their Friends touching their Assents to the proceeding of the Bill.

Three Bills also of no great moment had each of them one reading; of which the last being the Bill for the Town of *Strewsbury*, was read the third time, and passed the House.

The Proviso to the Bill of *Decem tales* was twice read, and the Bill and Proviso were Ordered to be ingrossed.

The Bill for Rites and Ceremonies was read the third time and referred to be considered by Mr Treasurer, Sir *Thomas Scott*, Mr Attorney of the Dutchy and others, who were appointed to meet this Afternoon in the Star-Chamber.

On *Wednesday* the 21th day of *May*, the Bill between *Chatterton* and *Chatterton* was read, and committed unto Sir *Nicholas Arnold*, Sir *Hen. Gates*, Sir *George Penruddocke*, Sir *Hen. Wallop* and Mr *Cromwell*, who were appointed to meet here to Morrow Morning at six of the Clock.

The Bill for the Earl of *Kent* was read the first time.

Francis Harrington Esq; being one of this House was appointed by the Queens Majesties most

most Honourable Privy-Council to repair forthwith to the Town of *Stamford* or thereabouts for her Majesties Service, as by his Commission for taking of Post-Horses bearing date the 20th day of this Month doth and may appear; which Mr Speaker Commanded to be set down and noted accordingly.

The Bill for the Earl of *Kent* was committed unto Mr Attorney of the Dutchy, Mr. *Popham*, Mr. *Bedell*, Mr. *Sandes*, Mr. *Fenner*, Mr. *Dalton*, Mr. *Shute* and Mr. *Matthew Dale*; and the opinion of the House was to leave out the general clause contained in the said Bill.

The Bill for *Tales de Circumstantibus* was read the third time and passed the House, and was sent up unto the Lords with two other Bills of no great moment by Mr. Treasurer and others; with further Order from this House to make Declaration unto the Lords of the Choice made by this House upon *Monday* last in the great Cause. And also to desire to understand their Lordships liking of the same Choice, and further to pray their good advice and pleasure for further proceeding therein.

Two Bills also of no great moment had each of them one reading; of which the first being the Bill touching Presentations by lapse was read the second time and Ordered to be ingrossed.

Mr. Treasurer and the residue returning from the Lords, Mr. Treasurer made report of their Message done to the Lords; and declared, that the Lords had resolved in the great cause amongst themselves much to the like effect with the former Choice made by this House. And that their Lordships for the better and more speedy proceeding therein do pray present Conference with the former Committees of this House, who are by the House appointed to attend their Lordships presently for that purpose. And further Commission also was granted to the said Committees to impart unto the Lords Committees the Opinion of this House to be, that for her Majesties better safety, present Execution be done upon the Duke. And the rather by reason of the tract of time which of necessity must arise by occasion of proceeding against the Queen of *Scots*, by way of Charging her in proper Person and hearing of her Personal Answer. And further, that this Opinion of this House shall be delivered to the Lords of the Upper House in the name of all this House, either by the said Lords Committees, or else by some of this House, if the said Lords Committees shall so advise and think good. *Vide* concerning this matter on *Thursday* the 26th day of *June* ensuing.

Three Bills lastly had each of them one reading; of which the last being the Bill against Hunting and Killing of Conies was upon the first reading rejected.

On *Thursday* the 22th day of *May*, Three Bills of no great moment had each of them one reading; of which the third being the Bill for the true making of Callivers, Daggs, &c. was upon the first reading committed unto Mr. Treasurer,

Sir *Maurice Berkeley*, Sir *Nicholas Arnold*, Sir *Henry Wallop* and others, who were appointed to meet to Morrow in the Star-Chamber, at two of the Clock in the Afternoon.

The Bill for *Weekes* against *Dennis*, &c. was committed unto Sir *John Thinne*, Sir *Henry Gates*, Sir *Hen. Wallopp*, Sir *Geo. Turpin* and Mr. *Moore*, and others, who were appointed to meet upon *Wednesday* next at two of the Clock in the Afternoon in the Star-Chamber.

The Bill against Vagabonds and for relief of the Poor was read the second time, and referred to be considered by Sir *Henry Gates*, Mr. Serjeant *Lovelace*, Mr. *Yelverton* and others, who were appointed to meet in this House to Morrow at six of the Clock in the Morning.

Upon Declaration made unto this House by Mr. Speaker from the Queens Majesty, that her Highness Pleasure is, that from henceforth no Bills concerning Religion shall be preferred or received into this House, unless the same should be first considered and liked by the Clergy. And further, that her Majesties Pleasure is to see the two last Bills read in this House touching Rites and Ceremonies: It is Ordered by the House, that the same Bills shall be delivered unto her Majesty by all the Privy-Council that are of this House, Mr. *Heneage*, and Mr. Doctor *Wilson* Master of the Requests, or by any four of them.

The Bill to avoid the multitude of Rogues and Vagabonds, was read the first time.

Upon the reading of the Bill Exhibited by *Weekes* against *Dennis*, it was Commanded by the House to be set down and Entred, that in all matters preferred and offered to this Court between any private persons, and wherein the Bill shall by Order of this House be thought good to be committed, those Committees shall make their Reports thereof unto this House, in the presence of both the Parties and of their Learned Council.

Three Bills lastly of no great moment had each of them one reading; of which the third being the Bill for the Jurors of *Middlesex*, was upon the second reading committed unto Mr. *Robert Wroth*, Mr. *Newdigate*, Mr. *Dalton*, Mr. *Cromwell* and Mr. *Gent*.

On *Friday* the 23th day of *May*, Two Bills of no great moment had each of them one reading; of which the first being the Bill for the City of *Worcester*, was read the second time and Ordered to be ingrossed.

Mr. Comptroller in the name of all the Committees in the great cause declared from her Majesty her very good and thankful acceptation of the great care of this House for her Majesties Safety; and that moved partly in Conscience and partly in Honour, minding to defer, not to reject the determination of this House to proceed in the Choice of a Bill against the Scottish Queen in the highest degree of Treason both in Life and Title, liketh better with all convenient speed to proceed in a second Bill to the other part of the said former Choice, which her Majesties

ties pleasure was should be signified unto this House by those of her Privy-Council being of this House, and so likewise to the Lords by some others of her Privy-Council, being also of that House. *Vide* concerning this business on *Thursday* the 26th day of *June* following.

Upon a Motion made by Mr. Speaker it was agreed by the House, that the former Committees shall signify unto the Lords of the Upper House, that after Declaration made unto this House from her Majesty of her disposition to have the second part of the former choice proceeded in with Expedition, and to defer and not to reject the first part of the same; This House nevertheless with one whole voice and consent, do still rely upon the said first part as most necessary, without any liking or allowance of the second. And further to make request unto the Lords to understand whether upon the like report of her Majesties like pleasure declared unto their Lordships, that they of that House do think good nevertheless to continue the proceeding with the former Choice like as this House doth; and if yea, then to confer further with their Lordships for their good advices and joining therein accordingly. And also to signify unto their Lordships that the whole opinion of this House is, that her Majesties safety cannot stand without Execution of the Duke this present Session. And that it might please their Lordships in Petition thereof unto her Highness to join with this House. *Vide* concerning this matter on *Saturday* the 31th day of this instant *May* ensuing.

Four Bills also of no great moment had each of them one reading; of which the last being the Bill for Weights and Measures, was upon the second reading committed unto Sir *Nicholas Arnold*, Sir *Owen Hopton*, Sir *Rowland Hayward*, Mr. Recorder of *London*, Mr. *Thomas Browne*, Mr. *Stanhope* and others, who were appointed to meet to Morrow in the Afternoon in the *Temple Church*.

Mr. Treasurer reported to the House the delivery of the two Bills of Rites and Ceremonies to her Majesty, together with the humble request of this House, most humbly to beseech her Highness not to conceive ill opinion of this House, if it so were that her Majesty should not like well of the said Bills, or of the Parties that preferred them. And declared further, that her Majesty seemed utterly to dislike of the first Bill, and of him that brought the same into the House and that her Highness express will and pleasure was, that no Preacher or Minister should be impeached or indicted, or otherwise molested or troubled, as the preamble of the said Bill did purport: adding these comfortable words farther, that her Majesty as Defender of the Faith, will aid and maintain all good Protestants to the discouraging of all Papists.

Two Bills also of no great moment had each of them one reading; of which the first being the Bill for the Free Grammar-School of *Tun-*

bridge, was read the first time and committed unto Mr. Recorder of *London*, Mr. *Coleby*, Mr. *Norton*, Mr. *Matthew Dale*, who were appointed to meet upon *Monday* next in the Afternoon in *Guildhall*.

Mr. Attorney and Mr. Solicitor brought word from the Lords, that touching the Petitions lately made unto them this present day by this House, their Lordships will to Morrow at eight of the Clock in the Forenoon have Conference together therein, and so then make Answer of them unto this House.

On *Saturday* the 24th day of *May*, Four Bills of no great moment had each of them one reading; of which the last being the Bill against injuries offered by Corporations in the City of *London* to divers Foreign Artificers, was read the first time, and committed unto Mr. *Seckford*, Sir *Owen Hopton*, Sir *Rowland Hayward*, Mr. *Moor* and Mr. *Cure*, who were appointed to meet upon *Monday* next at three of the Clock in the Afternoon in the *Guildhall*.

Mr. Serjeant *Barham* and Doctor *Huick* brought from the Lords three Bills, viz. The Bill of *Tales de circumstantibus*, heretofore passed this House to have certain words therein inserted. An Act against such as shall conspire or practise the Enlargement of any Prisoner committed for High Treason; And an Act for the punishment of such as shall rebelliously take or detain from the Queens Majesty any Castles, Fortresses, &c.

The Bill for preservation of Timber and Fuel was read the time and passed, and was (with four other Bills of no great moment) sent to the Lords by Mr. Treasurer and others, with further Commission to have Conference with their Lordships touching some Amendments to be had in the Bill of Vagabonds, and also touching the opinion of this House for the necessity of the speedy Execution of the Duke; and also to pray their Lordships Answer to the Petition of this House made yesterday unto them as for their liking to proceed with the first part of the former Choice, and for their advices and conjoining with this House in the Order of the same proceeding.

The Bill for Planting and setting of Hops was read the first time.

Mr. Treasurer and the residue returning from the Lords, Mr. Treasurer made report of the delivery of the said Bills to the Lords, and of the residue of their said Commission from this House to their Lordships, with Answer from them, that they like well and allow of the opinion of this House to proceed in the first degree of Choice in the great Cause, and that their Lordships will therein join with this House, and have appointed to have Conference with the Committees of this House this Afternoon in the Star-Chamber, for the order and manner of the same proceeding; and then also with the same Committees to have Conference touching the Bill of Vagabonds; and that as touching Petition to be made to the Queens Majesty for the present Execution of the Duke,

Duke, their Lordships not misliking the opinion of the House in that matter, neither discouraging this House in that Enterprize, do refuse to join with this House in that Petition to her Majesty; for the Duke having had his Tryal by them of that House, their consent and liking in the matter is thereby sufficiently manifested already.

M^r Attorney and M^r Solicitor declared unto this House from the Lords, that their Lordships do desire that those Committees which were appointed to meet with them this Afternoon, may have Authority from this House to make Choice of a number of themselves to Accompany the Lords unto the Queens Majesty, for the reporting and maintaining of such reasons as upon their said Conference shall be first propounded and yielded amongst them touching the great cause.

This Court was Adjourned until *Wednesday* next; and upon sundry Motions it was resolved, that all such of this House as shall think good to exhibit or prefer any reasons or causes to enforce the matter of the Dukes Execution, may in the mean time of the next Session deliver them in writing to M^r Speaker at their Choices and pleasures, to the end that this Court may further proceed to the manner and order of signifying the same Petition to her Majesty accordingly.

On *Wednesday* the 28th day of *May*, It was signified unto this House by M^r Speaker, that the Queens Majesties pleasure was, that all they of this House being of the Committees in the great Cause, and appointed by them out of themselves to come to her Highness Presence, shall all attend at the Court this present day at eight of the Clock in the Forenoon for the same purpose accordingly: which Message was so delivered unto M^r Speaker now in the House, by one of this House sent unto him from M^r Treasurer. But to what end or purpose the said M^r Treasurer with other Members of the House were appointed to attend upon her Majesty, doth not appear or can at all be gathered by the Original Journal-Book of the House of Commons; but it was doubtless to agitate and treat of the great business touching the Scottish Queen: and it is very probable that the Members of the said House did at this time offer up their Petition and Reasons to her Majesty for the speedy Execution of the said Queen; all which I have thought good to insert in this place out of a written Copy thereof I had by me, although they are there falsely referred to the Parliament foregoing which was in *An. 13 Regin. Eliz.* as were also other reasons there contained, which are referred unto *Monday* the 19th day of this instant *May* foregoing.

An humble Petition to her Majesty and the Reasons gathered out of the Civil Law by certain appointed by Authority in Parliament, to prove that it standeth not only with Justice but also with the Queens Majesties Honour and Safety to proceed Criminally against the pretended Scottish Queen.

WE your Majesties most humble and faithful Subjects Assembled in Parliament for preservation of your Royal Person and Estate, do highly acknowledge the great goodness of God that hath Chosen and appointed such a Sovereign to Reign over us as never Subjects by any Record ever had a better; and therefore our hearty Prayers are daily and ever shall be to Almighty God, long to preserve your most Excellent Majesty in all and most perfect Felicity that ever Creature had or might have upon Earth. And whereas the highest and chiefest States are ever more envied of all such as be the worst and greatest disturbers of Gods Monarchy and his Anointed Jurisdiction, we cannot but with a care of mind and force of our Bodies seek to redress whatsoever shall be thought hurtful to your Majesties safe quietness and most blessed Government.

A Queen of late time, and yet through her own Acts now justly no Queen, a nigh Kinswoman of your Majesties and yet a very unnatural Sister, Lady *Mary Steward*, late Queen of *Scots*, being driven through violence and force of others to take Harbour in your Majesties Realm for the Safeguard of her Life, hath not only had your Majesties most Gracious Protection, but also was saved within her own Realm by your Majesties Authority from Execution of Death for her most horrible and unnatural doings there, known throughout *Europe* to her perpetual infamy and shame for ever. And albeit upon her first coming your Highness might both by Law and Justice have dealt with her judicially for her attempts made by writing and otherwise against the Crown and Dignity, and to the Disherison of your most Royal Person for ever; Yet your Majesty in Consideration of her long dangerous troubles in her own Realm, and in hope that such great Adversities would have been good Lessons for her Amendment hereafter, hath not used her in any such manner as she hath deserved: But rather forgetting or forgiving after a sort her former doings, hath dealt with her like a good and natural Sister. All which notwithstanding this unnatural Lady (being born out of kind as it should seem) hath altogether forgotten God and all goodness, abusing her self, as it appeareth, most Treasonably against your Majesties Person and State, and seeking and devising by all means possible not only to deprive your Majesty of all Earthly Dignities and Livings, but also of your natural Life; which thing is found by evident Proofs, and by the Judges of your Realm declared to be most horrible and most wicked

wicked Treason that ever was wrought against any Prince. For which her doings her Majesty minding to touch her in Honour, esteemeth her a Person unworthy of any hope or Title, Preheminence or Dignity within this your Land; and therefore not seeking to deal with her according to her desert is only contented to have her disabled as a person not capable of Princely Honour. And thus your Majesty using this course thinketh it the meetest way to establish your self and to quiet your Dominions hereafter, taking away hereby the hope of such as do depend upon the pretended Title, and weakning the whole strength of that Faction.

And for further assurance of your Majesties quietness your Highness doth not millike to have grievous pains of High Treason laid upon all such as shall attempt and maintain her pretended Title by any manner of way.

Thus as evil men shall be kept back from intermeddling in the maintenance of a Title, so may your Majesties true and faithful Subjects be much emboldened to deal against this pretended Queen and her Adherents, when your Subjects shall see a Law set down for your avail, and your Enemies shall want Forces and wax weak thereby, and your true Subjects greatly hardened for all offences.

Moreover if the said pretended Queen shall hereafter make any attempt of Treason, the Law so to run, that she shall suffer pains of Death without further trouble of Parliament.

And if any shall enterprise to deliver her out of Prison after her disablement, either in your Majesties Life, or after the same, to be Convicted immediately of High Treason, and her self assenting thereunto to be likewise adjudged as a Traitor in Law.

In all which proceedings your Majesty thinketh to deal both safely and honourably, as well for your Self as for your State. For thereby it seemeth that neither shall she nor any for her hereafter dare deal to do harm; but also all Foreign Princes and Nations will think much Honour of such your merciful proceedings.

And lastly, whereas she hath fallen into your hands from the violence of others, and so as a Bird followed by a Hawk seeketh succour at your Majesties Feet; your Highness thinketh your Self bound in Honour, for that she is your Sister, and a Queen Born, not to proceed further, only to her disablement, counting it a strong work for your Safety.

These be the Reasons which in part may move your Majesty to take this Course, as we do conceive. All which notwithstanding, if it might please your most Excellent Majesty to suffer your poor and faithful Subjects to enter deeply upon good search of this Cause, and by way of reply to make Answer with proceeding by just proofs for your Majesties Safety, we doubt not but with your Highness favourable acceptation, all that which hitherto hath been uttered is rather a Declaration of that most Mild and Gracious Na-

ture of Yours, than any assurance for your Person and State at all.

Reasons Answering the former Arguments.

May it therefore please your Majesty,

WHereas it is said, that it standeth to very good purpose to proceed only in disabling the Scottish Queen for any Claim or Title to the Crown; we take it, by your Majesties Favour, that such and especially disabling of the Scottish Queen is in effect a special Confirmation of a Right that she should have had. *Quia privatio præsupponit habitum.* And further we do take it for a known truth, that by the Laws and Statutes in this Land now in Force, she is already disabled, and therefore it is to small purpose, *rem actam agere.* And for Answer unto the premisses we say further, that neither shall this weaken others that are evil minded, but rather strengthen them in their mischief, and make them desperate where there is no other remedy. And a Firebrand once kindled and finding apt matter to work upon, will hardly be quenched without a great hazard. Touching the grievous pains laid upon those that shall deal, those will be little feared, by the wicked, whom hope of gain maketh more bold than such pains do appall. Besides, Nature given to this Nation and all others that are under the Moon, maketh men often-times stir without cause, and as *Plato* saith, *Naturales sunt conversiones rerum pub.* Yet they that heretofore have born Armour as Traytors, not fearing the Law then in force, which did as much restrain them as this or any Law to be made can be able being desperate will fear no Laws, especially such an instrument living by whom all attempts are to be wrought. Force overthroweth Justice, till the Cause of all mischief, which is the hoped help, be clean taken away.

And where it is said that the making of a Law for her disabling emboldneth much your Subjects to deal against her: We Answer that no new Law needeth to encourage good and Loyal Subjects against such a Person, who hath broken all the Laws of God and nature, and is worthy to be out of your Majesties Protection, because she seeketh still the disturbance of this noble State, and using often her own phrase threatneth that she will stir Coals.

Touching a new Law to be made against her, if she should attempt any evil hereafter; the experience of her former life is such that no Law hath any force with her, that is fully minded to take her advantage upon any apt occasion offered. And to threaten her with Death if she should seem to make an escape hereafter, is such advice that she nothing feareth; for besides that she was told at *Lough-Leaven*, there was no way but Death with her if she would not take her Imprisonment quietly and live without seeking Liberty, she notwithstanding adventured her self with a young Fellow very dishonourably to get away in a Boat. And now since her coming into Eng-

land

land she hath wrought divers wayes to make an Escape, and imployed the heads of the chiefeſt Eſtates of your own diſloyal Subjects for that purpoſe. Therefore menacing and but threatening words of Law ſhall not keep her back from her malicious intent to ſubvert your Maſteſty, and to give a puſh for the Crown, come of her what will. And likely it is that ſhe may eſcape as well as be taken, for ſhe neither wanteth Wit nor Cunning to make her way. And we have learned in matters of great hazard to be well adviſed and to take alwayes that Order which may be the beſt. Now there will want no Traytors to be alwayes ready to bring this her device about, and to do what they can for her Liberty. And ſuch as will not deal in ſmall matters will adventure deep for a Kingdom, becauſe the reward is great when the ſervice is done.

But your Maſteſty hath regard unto your Honour as much as to your Safety; and thinketh that in taking this Courſe all Princes will ſpeak well of your Highneſs.

May it pleaſe your Maſteſty, We your good Subjects do well like of ſo honourable a meaning; but we would be loth to ſee that when you have ſuch regard of Honour, you do thereby loſe your State, and ſo your Life, Honour and all. For if it ſhould fall out that the Scottiſh Queen eſcaped your hands (which Chriſt for his Mercies ſake forbid) all good Princes would think great want of Judgment and foreſight, Firſt in your Maſteſty, next in your Council, laſt of all in all the whole Nation; and ſuch a grief it would be to your Maſteſty and Subjects, and to all other good Chriſtian Princes throughout *Europe*, as none could be greater. Again, ſuch a matter of Comfort and Triumph it would be to the Adverſaries, that they would account her eſcape a miraculous work of God, and that your Maſteſty had no power though will to keep her ſafe. And when that day ſhould come, Wo be to all true Chriſtians univerſally; for upon her do depend the chiefeſt Enemies of Religion, and to this Kingdom.

May it pleaſe you therefore moſt Gracious Queen to be well adviſed and to take ſound Counſel when it is given; knowing this for a certain truth, that evil foreſeen and adviſedly looked unto, doth ever the leſs harm.

But ſtill your Maſteſty conſidering the great troubles that ſhe hath had, and forgetting or not greatly eſteeming what troubles ſhe hath brought unto your Realm, doth by a merciful reſpect of your moſt Gracious Nature, rather bend to do good to her than to ſeek Safeguard for your Self. And ſeeing here your Siſter though unnatural, and alſo a Queen by Birth, although not worthy of Life, cannot but rather hazard your own ſelf than deal with her according to her deſerts.

This your Maſteſties nature being thus known, it behoveth all your good Subjects, moſt Gracious Sovereign, to call and cry to God for his Heavenly Aſſiſtance, that his Power may be gi-

ven to you, next after the advancement of his Glory, to ſeek aſſuredly your own Safety; which your Maſteſty cannot fully do by this means that hath hitherto been taken, or hereafter to be uſed.

Therefore it would pleaſe your moſt Excellent Maſteſty to give ear to the ſound Reaſons of your moſt Faithful Subjects, and rather deal certainly than by Chance; and there is no doubt but your Maſteſty ſhall avoid all apparent dangers, and live in all Safety and Honour, to Gods Glory and to the Comfort of all good Chriſtian Princes univerſally.

Thus much againſt the opinion of diſabling the Scottiſh Queen; whereby it appeareth that it will be rather for her benefit, than to her hurt. And moſt certain it is, that it will be dangerous for the State divers wayes; whereas dealing with her in the firſt degree according to her deſerts, the ſame is lawful, ſafe, neceſſary and honourable for your Maſteſty and all Chriſtendome beſides.

And becauſe it may appear that this Speech is grounded upon Law and Reaſon, there ſhall be Arguments in Law alledged ſufficiently for this matter, as the ſhortneſs of time may ſerve.

Civil Reaſons for doubt of Answer.

A Confederate being in the Country of his Confederate is to be puniſhed as though he were a Subject.

Every perſon offending is to be tryed in the place where he committeth the Crime, without Exception of privilege.

A King paſſing through another King's Realm, or there Reſident, is but a private perſon.

The Dignity of the Perſon offending encreaſeth the offence.

Reatus omnem honorem excludit.

A King depoſed is not to be taken for a King; and therefore *Frederick* King of *Naples* being deprived by the King of *Spain*, was afterwards judged to be no King by Sentence.

A King though not depoſed may commit Treason.

Diotrus a King Confederated with the Romans was Criminally judged by *Caius Julius Cæſar*, for that he Conſpired to have ſlain the ſaid *Julius Cæſar* at a Banquet.

Joan Queen of *Naples* was put to Death for that ſhe gave her Conſent to the Murder of her Husband, and cauſed him to be hanged out at a Window.

Henry the Seventh Emperour did give a Solemn Judgment of Death at *Piſa* 1311. againſt *Robert* King of *Sicil*, for that the ſame King had entred into Conſpiracy with the Subjects of the Emperour: and yet was not King *Robert* within the Jurisdiction of the Emperour at the time of the Conſpiracy, neither at the time of the Judgment.

It ſtandeth with the Law of nature which is immutable, for any Perſon to proceed for

the safety of himself and his Charge.

Great offences in the highest degree ought not to be punished for any affection of Kindred.

Justice, Equity and Common-Wealth, are to be preferred before the affection of Kindred. *Quia arctiora sunt vincula virtutis quam sanguinis.*

An offence of the highest degree against the Prince being the Head of the Political Body, is an offence to every Member of the same, and requireth sharp punishment for preservation of the whole.

The intent of offences in the highest degree is punished with death, although the Execution of the intent doth not follow.

The benefit and priviledge of safe Conduct is lost by any Crime committed after the Grant made thereof.

Administration of Justice cannot but be honourable.

All just and honourable dealings are pleasing to God and profitable to the Prince and State.

Execution of Justice is void of all Injury.

It is dangerous for the State to swerve from the Ministration of Justice and the due Execution of Law.

To spare Offenders in the highest degree, is an injury to the Prince and State of the Realm.

Pœna unius salus multorum.

The loss of life is the penalty appointed for Treason; and the loss of Lands and Goods with the possibility of Title, cometh but in consequence and unnecessarily.

Punishment ought to be equal with the fault, and he that minisreth less punishment than the fault deserveth, doth not execute the Law according to the Rules of Justice.

Reasons to prove that it standeth not only with Justice, but with the Queens Majesties Honour and Safety, to proceed Criminally against Mary Stewart late Queen of Scots, for her Treasons committed against her Majesty and this Realm.

A Confederate being in the Country of his Confederate, for a Crime committed, is there to be punished. *Cod. & de captivis & post termino reversis, verba legis, At si sunt apud nos rei ex Civitatibus fœderatis, in eos damnatos animadvertimus.* Therefore although the Scottish Queen were a Confederate, yet she is to be used in like sort as a Subject.

Item, there is no Person of what degree soever he be, but is there to be Tryed where the Crime is committed without exception of priviledge. *Cod. ubi de Criminibus agi oporteat, verba legis, Qua in Provincia quis deliquit, aut in qua pecuniarum aut criminum reus sit, ibi judicari debet, & hoc jus perpetuum sit.*

But the Scottish Queen here hath offended. *Ergo.*

Item, every Person is to be Condemned and adjudged equally. *In Crimine læsæ Majestatis verba legis. In crimine læsæ Majestatis æqua est omnium conditio. Ad legem Juliam læsæ Majestatis.*

But she hath fallen in *crimen læsæ Majestatis. Ergo.*

Item a King in another Kings Territory may commit Treasons as another private Person, *Corectus de potestate regia n° 90. verba, Quæro utrum Rex non habens justum titulum regni incidat in crimen læsæ Majestatis. Respondeo, quod sic, secundum Bartol. in legem duodecim tabularum, & in legem prim. ff. de crimine læsæ Majestatis.*

But the Scottish Queen hath offended here in England. *Ergo.*

A King passing through another King's Realm or there resiant, is but a private person. *Bartolus duodecim. libro de Dignitatibus, verba, Sed tamen dubitatur si Rex vel Baro transit per alias partes extra Regnum suum, utrum possit creare Milites: Et videtur quod non, quia ibi privatus est homo. ff. de Præfecto Urbis. ff. de officio præsidis. Præses in homines sue Provinciae imperium habet, & hoc dum est in Provincia.*

91. Coll. penult. verba, Quilibet Rex extra suum territorium privatus est. Lapis in allegatione, Censetur ad instar Privati.

But the Scottish Queen being here in England is out of her Territory. *Ergo* to be punished as a private Person.

Every Person of what condition soever he be, either superior or equal, submitting himself to the Jurisdiction of another, is to be judged by him to whom he submitteth himself. *L. est receptivum ff. de judiciis, verba, Est receptivum eoq; jure utimur, ut si quis major vel equalis subiciat se jurisdictioni alterius, potest ei & adversus eum jus dici.*

But the Queen of Scots, although she were a Queen and thereby equal, by committing hainous Treason, hath submitted her self to the Queens Jurisdiction.

Paulus de Castro in dictam legem est receptivum ff. eo, verba ejus enim, Major vel equalis potest se subicere jurisdictioni ordinaliter alterius Judicis minoris vel paris tacite, si Judex unius Territorii delinquat vel contrahat in territorium alterius Judicis vel minoris vel paris, quia ratione delicti vel contractus sortitur ibi forum. Rota de definitionibus de Judiciis, Ille qui delinquit, per delictum amittit mercem imprim. & sic factus est alius privatus; & sic compar potest eum punire. Quilibet in suo Territorio est major Alexandro.

But the Scottish Queen having committed High Treason within this Realm, hath by contraction of Law submitted her self to this Jurisdiction, and therefore to be punished as another private Person.

And although it be said that one that is not subditus, non potest committere crimen læsæ Majestatis; yet that saying is to be taken, whereas the crime is committed out of the Jurisdiction: but

but if it be committed within the Jurisdiction, then there to be punished. *Papa in Clementinam de sententia & re judicata.*

And albeit the Pope did reverse the same Sentence; yet he saith, that if the party had been within the Jurisdiction of the superior at the time of the Crime committed, and judgment to the party offended, he had been justly condemned, &c. *Verba Papæ, Quod si Rex infra districtum imperiale fuisset inveniendus delinquens, potuisset contra eum sententia dici.*

Lo here the Pope declareth plainly that she here offending may justly here be punished in *pæna Capitis.*

Item, a King deposed is not afterwards to be taken for a King. *Thomas de Turrecremeta definitione 65. Rex Regno privatus non est amplius Rex.*

But the Queen of Scots is deprived. *Ergo.*

The benefit or privilege of safe-Conduct is lost when any crime is committed after the safe-Conduct granted. *Angelus de maleficiis, in verbo publica fama.*

But the Queen of Scots hath committed against the safe-Conduct since her coming into the Realm. *Ergo.*

The will and mind in Treasons is punished equally as the Act. *Cod. ad legem Juliam læsæ Majestatis, verba legis. In crimine læsæ Majestatis voluntatem sceleris æque ac effectum puniri jura voluerunt.*

But the Scottish Queen hath not only had the affections, but hath notoriously proceeded to the actions. *Ergo.*

Neither is it any new or rare thing for Kings and Queens to be adjudged and Condemned for Treason; for Henry the Seventh Emperour did give a solemn judgment of death at Pisa, A. D. 1311. against Robert King of Sicily. Diotorus was likewise Condemned by Julius Cæsar; and Joan Queen of Naples for murdering her Husband, and Hanging him out of a Window.

Punishment ought to be equal to the offences committed. *fl. de pænis*; but Death is the penalty appointed for Treason. *Ergo.*

The foregoing Petition and Reasons for the speedy Execution of the Scottish Queen being thus transcribed out of the before-mentioned written Copy of them I had by me,

Now follows the residue of this days passages and of this ensuing Journal out of the Original Journal-Book of the House of Commons it self in manner and form following.

Two Bills of no great moment had each of them one reading; of which the second being the Bill for Cogshall and Bocking, was read the first time.

The Proviso to the Bill for Worcester was twice read and Ordered to be ingrossed.

The Bill for the Free Grammar-School in Tunbridge was committed unto Sir Tho. Scot and others to meet to Morrow in the Afternoon at three of the Clock.

The Bill for the Explanation of the Statute of 32 H. 8. for Recoveries, was read the third time, and committed to the former Committees; unto whom also were added Mr Serjeant Lovelace, Mr Attorney of the Dutchy, Mr Popham and Mr Townesend, who were to meet this Afternoon in the Temple Church.

Mr Treasurer declared, that he and certain others of the Committees chosen by themselves out of themselves do presently come from her Majesty; and that her Majesty doth very thankfully accept the good will and zeal of this House in their carefulness for her Majesties safety and preservation; and that as her Majesty thinketh the course chosen by this House, and wherein the Lords have joined with this House, to be the best and surest way for her Majesties preservation and safety indeed; yet her Highness for certain respects by her self conceived thinketh good for this time to defer, but not to reject that course of proceeding as yet; and in the mean time with all convenient speed to go forward in the great matter against the Scottish Queen with a second Bill, being the other part of the said Choice heretofore offered to this House. And that her Majesty minding in that Bill by any implication or drawing of words not to have the Scottish Queen either enabled or disabled to or from any manner of Title to the Crown of this Realm, or any other Title to the same whatsoever touched at all, willeth that the Bill be first drawn by her Learned Council, and by them penned before the same be treated of or dealt in, in this House. And that in the mean time of bringing in of the said Bill, this House enter not into any Speeches or Arguments of that matter. And that her Majesty hath likewise signified the same her like pleasure unto the Lords of the Upper House by some of the said Committees of the same House. *Vide* concerning this matter on Thursday the 26th day of June following.

Mr Attorney and Mr Solicitor declared from the Lords that their Lordships have appointed six of themselves which were with the Queens Majesty this Forenoon at the Exchequer, and that they have appointed the Judges there to attend them; and pray that a convenient number of such of this House as were also with her Highness, might with some others of this House meet there with their Lordships for further Conference, and thereupon were for that purpose appointed by this House,

Mr Treasurer.

Mr Comptroller.

Mr Chancellor of the Dutchy.

Mr Chancellor of the Exchequer.

Sir Maurice Berkeley.

Sir Tho. Scott.

Sir Hugh Pawlett.

Sir John Thynne.

Sir Hen. Gate.

Mr Dr Wilson Master of the Requests.

Mr Serjeant *Lovelace*.

Mr Attorney of the Court of Wards.

Mr Recorder of *London*.

Mr *Moor*.

Mr *Mounson*.

Mr *Popham*.

Mr Attorney of the *Dutchy*.

Mr *Sands*.

Mr *Norton*.

Mr *Atkins* and

Mr *Dalton*.

Nota, That it is not certainly set down why these forenamed Committees were nominated; but as is most probable, they were appointed either for the great business touching the Scottish Queen, or the Execution of the Duke, or both.

The Resolution of this House upon the Question was, that Petition should be made by this House unto her Majesty for the present Execution of the Duke, and that the same Petition shall be digested and put in writing against to Morrow Morning, and be then delivered to Mr Speaker, to the end he may move her Majesty in the behalf of this whole House in such sort as this House shall further appoint him. *Vide* concerning this matter on *Saturday* the 31th day of this instant *May* ensuing.

On *Thursday* the 29th day of *May*, Two Bills of no great moment had each of them one reading; of which the second being the Bill for Partition of the Lands to be made between the Lord *Latimer* and Sir *Robert Wingfeild* Knight, was read the second time and Ordered to be ingrossed.

Mr Chancellor of the Exchequer, Mr Attorney of the *Dutchy*, Mr Attorney of the Court of Wards, and Mr *Boyer*, were added to the former Committees for the School of *Tunbridge* (who were appointed on *Friday* the 23^d day of this instant *May* foregoing.)

Three Bills also had each of them one reading; of which the second being the Bill against the multitude of Rogues and Vagabonds, was upon the second reading rejected.

Mr Doctor *Lewes* and Mr Doctor *Huick* did bring from the Lords a Bill touching the annexing of *Hexham* and *Hexamsbire* to the County of *Northumberland*.

The Bill lastly for Vagabonds was committed unto Mr Treasurer, Mr Comptroller, Mr Attorney of the Court of Wards, Mr *Sands*, Mr *Mounson*, Mr *Marsh*, Mr *Sampole*, Mr *Cromwell*, and Mr *Boyer*, who were appointed to meet to Morrow between five and six of the Clock in the Morning; and such of them as can, to meet in the mean time in the *Temple Church* at three of the Clock.

On *Friday* the 30th day of *May*, the Bill for Sir *William Harper* was upon the first reading committed unto Sir *Hugh Pawlett*, Sir *John Thynne*, Sir *Maurice Berkley*, Mr Dr *Wilson* Master of the Requests, Mr *Atkins*, Mr *Nicholas Hare*,

and Mr *Matthew Dale*, who were appointed to meet upon *Monday* next in *Southwark* in the Court-House there at two of the Clock in the Afternoon, and the Parties to be warned by the Serjeant.

Five Bills of no great moment had each of them one reading; of which the last being the Bill touching Grants by Corporations, were read the second time, and committed unto Mr *Seckford* Master of the Requests, Mr Serjeant *Manwood*, Mr *Popham*, Mr *Bedell*, Mr *Thimbleby*, Mr *Snagg*, Mr *Fenner*, and Mr *Grimsditch*, who were appointed to meet at three of the Clock this Afternoon in the *Temple Church*.

The Committees for the Free Grammar-School of *Tunbridge* were appointed to meet at three of the Clock this Afternoon in the *Guild-Hall*.

Upon the Question it was resolved by this House touching the Bill of Vagabonds, That the words *Minstrells*, *Bearwards*, *Pedlers*, &c. shall not be put out of the Bill, but stand still in the same, qualified by Licences of the Justices of the Peace in such sort, as upon the Committee hath been considered and agreed upon, with this condition also, That if the Lords shall not agree to that qualification, then this House will not be so bound by the said resolution, but that they may alter and change the same at their Liberty and pleasure, if they shall so think good.

Martin Cole one of the Burgesses for the Borough of *Sudbury* in the County of *Suffolk*, was for his great business and affairs licensed to be absent for eight dayes.

On *Saturday* the 31th day of *May*, Three Bills of no great moment had each of them one reading; of which the third being the Bill against Recoveries suffered by Tenants for term of life, was read the second time, and committed unto Mr Attorney of the Court of Wards, Mr Recorder of *London*, Mr *Mounson*, Mr *Popham* and others, who were appointed to consider of the said Bill sitting the Court.

The Bill for the Earl of *Kent* was read the first time, and committed to the former Committees, and to meet at the *Temple Church* to Morrow at two of the Clock in the Afternoon.

Upon the Question moved whether upon a former motion now made by Mr Treasurer for respiting of the Petition to her Majesty touching the Execution of the Duke, for that it may be her Majesty will cause the same to be done rather of her own disposition than being thereunto pressed by Petition of this House; It is resolved, That neither this present day nor in the mean time of the next Session of this House any Consultation be had touching any proceeding in the said Petition. *Vide* concerning this business on *Friday* the 16th day, *Friday* the 23th, and on *Wednesday* the 28th day of this instant *May* foregoing.

Four Bills lastly of no great moment had each of them one reading; of which the first being the Bill against such as shall practise to enlarge any

any person committed to Prison for High-Treason, was read the first time.

On *Monday* the second day of *June*, Four Bills of no great moment had each of them one reading; of which the last being the Bill against Recoveries by Collusion suffered by Tenants for term of life, was read the second time, and Ordered to be ingrossed.

Sir *Tho. Scott* and Sir *George Turpin* Knights, were added to the former Committees in the Bill for the Earl of *Kent*, (whose names see on *Wednesday* the 21th day of *May* foregoing) with Authority given by this House to the said Committees or any six of them, to proceed and to meet at the *Temple Church* to Morrow at three of the Clock in the Afternoon.

The Committees in the Bill for Sir *William Harper*, were appointed by this House to meet this Afternoon at the *Marshalsea*, and not at the Court-House in *Southmark*.

The Proviso for the Prisoners in the *Marshalsea* unto the Bill of Vagabonds, was rejected upon the Question. And the Proviso for Mr *Dutton* allowed and passed the House.

The Bill against Vagabonds and for relief of the Poor, with the Amendments and Provisoes passed upon the Question.

On *Tuesday* the third day of *June*, Seven Bills of no great moment had each of them one reading; of which the last being the Bill against transporting of Leather and allow out of the Realm by way of Merchandize, was read the third time.

The Bill of Vagabonds and the Bill of *Tales de Circumstantibus*, were sent up to the Lords by Mr Comptroller and others.

The Bill also against Recoveries suffered by Collusion by Tenants for term of life and such others, was read the third time and passed upon the Question.

Mr Serjeant *Barham* and Mr Doctor *Lewes* did bring from the Lords three Bills; of which one was for the Assizes to be kept at *Stafford*, and the third for the Severance of the Sheriffwicks of *Huntington* and *Cambridge*. Mr Chancellor of the Dutchy, Mr Chancellor of the Exchequer, Sir *Hugh Pawlett*, Sir *Tho. Scott*, Mr *Seckford*, Mr Serjeant *Lovelace*, Mr Serjeant *Gefferies*, Mr Attorney of the Dutchy, Mr *Popham*, Mr *Mounson*, Mr *Telverton*, Mr *Cooper*, Mr *Beaumont*, Mr *Sampole*, and Mr *Knyvet*, were appointed to meet at the *Savoy* at three of the Clock this Afternoon, at Mr Chancellors of the Dutchy, for Conference in the Bill of fraudulent Conveyances of Lands.

On *Wednesday June* the 4th, Five Bills of no great moment had each of them one reading; of which the last being the new Bill for assurances by Corporations, was read the first time.

The Bill also for the City and Soke of *Winchester* was read the second time, and Ordered to be ingrossed.

Upon the Question it was Ordered by this House, that the Lord *Compton* do, before the

Committees, make his Answer to Morrow in the Afternoon in the Star-Chamber at three of the Clock.

Unto the Bill Exhibited by the Earl of *Kent*, which was in open Court signified unto the Lord *Compton*, and upon another Question day was given unto both the said Parties with their Counsel to be here present at the report of the Committees upon *Friday* next in the Morning, unless the same Committees shall upon further motion of this House, for that purpose, in the mean time pray *Saturday*.

Mr Serjeant *Barham* and Mr Doctor *Huick* did bring from the Lords the Bill to revive an Act against the transporting of Leather, Tallow, and Raw-Hides.

Mr Treasurer, Mr Comptroller, and Mr Chancellor of the Dutchy, were added to the former Committees for the Earl of *Kent* his Bill.

The Bill for the true making, proving and marking of Calivers, and the Bill for the School of *Tunbridge*, were each of them read the third time and passed the House, and were with two others sent up to the Lords by Mr Chancellor of the Dutchy and others.

The Bill against such as shall keep or detain from the Queens Majesty any Castles, Fortresses, &c. The Bill against such as go about to enlarge any Person Imprisoned for Treason, and the Bill for annexing of *Hexam* and *Hexamsbire* to the County of *Northumberland*, were each of them read the second time; but no mention is made that they were either referred to Committees or Ordered to be ingrossed, because they had been formerly sent from the Lords.

On *Thursday* the 5th day of *June*, Three Bills of no great moment had each of them one reading; of which the first being the Bill for the Severance of the Sheriffs in the Counties of *Surrey* and *Sussex*, was read the first time.

The Bill for the City of *Worcester* was read the third time, and was rejected upon the Division of the House, with the difference of six persons.

Five Bills of no great moment had each of them their third reading, and passed the House, and were sent up unto the Lords by Mr Treasurer and others; of which one was for Partition of Lands between the Lord *Latimer* and Sir *Robert Wingfield* Knight, and another for *Plumstead* Marsh.

Mr Serjeant *Barham* and Mr Attorney General, did bring from the Lords the Bill against *Mary* the Daughter and Heir of *James* the Fifth late King of *Scots*, commonly called the Queen of *Scots*, with Recommendation of the said Bill from their Lordships, and pray a present reading thereof this day. And did further signifie, the time of the Year considered, the Queens Majesties pleasure is, that this House do proceed in that and other weighty Causes, laying apart all private matters. *Vide Thursday 26th of June postea.*

The Bill against *Mary* commonly called the Queen

Queen of Scots, was read the first time.

On Friday the 6th day of June the Bill for Coggshall Cloaths was read the second time, and Ordered to be ingrossed.

The Serjeant was commanded by the House to warn *Andrew Fisher*, that he make his personal appearance here presently this Forenoon immediately, after that the Lords now dealing in the Committee of his Cause, shall have left off their present Conference. And Sir *Thomas Scott*, Mr *S^t Leger*, Mr *Norton*, and others of the Committees of this House in the matter before the Bill passed, were presently sent from this House to the said Lords Committees, to inform them of the former proceedings of the said Committees of this House in the matter.

Four Bills had each of them one reading; of which the last being the new Bill against fraudulent Gifts and Conveyances of Lands, was read the first time.

The Bill against the bringing in of Foreign Wares forbidden was stayed the third reading till another time.

The Bill against *Mary* commonly called the Queen of Scots, was read the second time.

Mr Chancellor of the Dutchy, Mr Chancellor of the Exchequer, Mr Serjeant *Manwood*, Mr. Attorney of the Dutchy, Mr. Attorney of the Court of Wards, Mr. *Popham*, Mr. *Mounson*, Mr. *Yelverton*, and Mr. *Norton*, to have Conference for the understanding of the Bill against *Mary* commonly called the Queen of Scots, to meet this Afternoon, and all Arguments to be received as upon the second reading of the Bill, until it shall be read the third time.

It is Ordered by the House to sit at Afternoons from three of the Clock till six, and to proceed but only in private Bills, and not to go to the Question of any such Bill if it concern any Town or Shire, unless the Knights of such Shire or Shires, or the Burgeesses of such Town or Towns shall then be present.

Andrew Fisher being called this day to the Bar and charged with certain Objections, was further Adjourned to make his appearance here in this Court to Morrow next coming.

Post Meridiem.

In the Afternoon two Bills of no great moment had each of them their first reading; of which the second was the new Bill for Weights and Measures.

Mr. *Weekes* and Mr. *Dennis* with their Council were appointed to be heard to Morrow at three of the Clock in the Afternoon, and *Dennis* at his peril for the other to be heard in his absence.

Day was given to the Earl of *Kent* and the Lord *Compton*, with their Council on both sides, to be heard to Morrow at four of the Clock in the Afternoon.

On Saturday the 7th day of June, Eight Bills of no great moment had each of them one read-

ing; of which the last being the Bill against covinous Vouchers, and another for *Woodstock*, were each of them read the second time, and Ordered to be ingrossed.

The Bill for Sir *William Harper Knight*, was read the first time, being a new Bill.

Mr. Attorney and Mr. Doctor *Huick* brought from the Lords the Bill against such as do withhold from the Queens Majesty any Forts, &c. with certain Amendments by their Lordships added unto the former Amendments of this House.

Mr. *Coleby* and Mr. *Flowerdew*, were added to the former Committees in the Bill against *Mary* commonly called the Queen of Scots.

Post Meridiem.

In the Afternoon, the Bill that none serving any Subject shall be a Justice of Peace or High Constable, was read the first time.

The Bill for repairing the Wayes and Bridges near *Oxford* was read the second time; but no mention is made that it was either referred to Committees or Ordered to be engrossed, because it had been sent from the Lords.

Upon the Argument in the matter between the Earl of *Kent* and the Lord *Compton*, by their Learned Council of both sides, this House thinketh good to be further advised upon the matter, and so it was signified unto their Lordships and their Council.

On Monday the 9th day of June, the Bill for Mr. *Smith* was read the first and second time, and Ordered to be ingrossed.

The Bill that no Servant of any Subjects shall be a Justice of Peace or High Constable, was read the second time and Ordered to be engrossed.

Mr. *Sandes*, Mr. *Fenner* and Mr. *Shute*, were appointed presently to consider and correct the Bill of my Lord of *Kent*, exhibited against the Lord *Compton*.

Three Bills also of no great moment had each of them one reading; of which the second being the Bill for Explanation of the Statute of Fugitives was read the third time, and with the Bill for Presentations by Lapse, and two others of no great moment sent up to the Lords by Mr. Treasurer and others.

Upon the Question it was resolved by this House that some Committees of this House be appointed to have Conference with the Lords touching the Proviso to the Bill against *Mary* commonly called the Queen of Scots.

Mr. Comptroller, Mr. Treasurer, Sir *Thomas Scott*, Mr. Doctor *Wilson*, Master of the Requests, Mr. Recorder of London, Mr. *Cromwell*, Mr. *Langborne*, Mr. *Fenner*, Mr. *Snagg*, Mr. *Dalton*, Mr. *S^t Leger*, and Mr. *Comper*, were for that purpose added to the former Committees. Vide touching this matter on Thursday the 26th day of this instant June following, and Monday the 19th of May foregoing.

Post Meridiem.

In the Afternoon three Bills of no great moment had each of them one reading ; of which the first being the Bill for the Severance of Sheriffs in the Counties of *Surrey* and *Sussex*, was read the third time, and passed upon the Question.

Upon the Question it was Ordered, that the matter be presently proceeded in to the hearing between the Earl of *Kent* and my Lord *Compton*, notwithstanding my Lord *Compton* his Allegations of the want of his Council, and the hearing to be dealt in only touching the matter of the release and the procuring of the same.

Geo. Goscoigne and *Tho. Cole* being produced, *Vide de ista materia in die precedente.*

On *Tuesday* the 10th day of *June*, Six Bills of no great moment had each of them one reading ; of which the second being the Bill that no Household Servant or Retainer to any Subject shall be a Justice of Peace or High Constable ; And the third for *Cogshall*, were each of them read the third time, and passed the House, and were sent up to the Lords by Mr. *Seckford* Master of the Requests and others.

Mr. Solicitor and Mr. Doctor *Huick* did signify from the Lords that their Lordships have appointed a Committee to have Conference with the Committees of this House in the Bill against *Mary* commonly called the Queen of *Scots* ; and that their Lordships do require the same to be done presently. *Vide* concerning this matter on *Thursday* the 26th of this instant *June* following.

The Bill for the transporting of Corn was read the second and third time, and passed upon the Question.

Two Bills also of no great moment had each of them one reading ; of which the first being the Bill for the Town of *Stafford*, was read the first time.

Post Meridiem.

In the Afternoon two Bills of no great moment had each of them one reading ; of which the first being the Bill for the marking of tanned Leather was read the first time.

Six Bills also had each of them their second reading ; of which the first was the Bill for Corporations, and the last for the Earl of *Kent* was upon the Question Ordered to be ingrossed, and both the Parties to be in this House with their Learned Council at the next Session of this Court to be holden next after this present day.

On *Wednesday* the 11th day of *June* Mr. Doctor *Huick* and Mr. Doctor *Vaughan* did bring word from the Lords, that having understood the Queens Majesties Pleasure to be, that they should adjourn their Sessions until *Tuesday* come Sennight, they did signifie the same unto this House, to the end this House may likewise Adjourn until the same time, and nevertheless to

continue the Session this Forenoon and send unto them such Bills as are already passed this House or shall pass this Forenoon.

Upon the Question Mr. *Snagg* was by the whole Voice of the House purged of the words and meaning which it was pretended he should have heretofore uttered in this House to the dishonour and discontentation of the Lords of the Upper House.

The Bill touching the transporting of Leather and Tallow was sent up to the Lords by all the Privy Council being of this House, and others.

The Bill against fraudulent Gifts and Conveyances of Lands was read the third time, and passed the House.

Mr. Doctor *Huick* and Mr. Doctor *Vaughan* did bring from the Lords three Bills ; of which the first was touching Sea-Marks and the second for Partition of Lands to be had between the Lord *Latimer* and Sir *Robert Wingfeild* Knight, and their Heirs.

The Bill against fraudulent Gifts and Conveyances of Lands, and the Bill for Partition of Lands between the Lord *Latimer* and Sir *Robert Wingfeild*, were sent up to the Lords by Mr. Chancellor of the Exchequer and others, and by them brought back again, for that the Lords were risen and gone.

The Bill for Grants by Corporations was read the third time, and passed the House.

The Court was this day Adjourned until *Tuesday* come Sennight next coming.

On *Tuesday* the 24th day of *June*, Four Bills of no great moment had each of them one reading ; of which the first being the Bill touching Lands and Tenements within the County and City of *Exeter*, was read the second time, and Ordered to be ingrossed.

The Bill for Grants by Corporations with two others of no great moment, was sent up to the Lords by Mr. Treasurer and others, with request to be by them made unto their Lordships for their Answer touching Conference in the Bill against *Mary* commonly called the Queen of *Scots*.

The Bill against delays in Judgment at the Common Law was read the second time, but no mention is made that it was either Ordered to be ingrossed or referred to Committees, because it had been formerly sent from the Lords.

The Bill against *Mary* commonly called the Queen of *Scots*. was sent to the Lords to see and consider, by Sir *Rowland Hayward*, Mr. Dr. *Wilson*, Mr. Serjeant *Manwood*, and Mr. Attorney of the Court of Wards.

The Bill against delays in Judgment was upon the Question committed unto Mr. Serjeant *Manwood*, Mr. Serjeant *Jefferies*, Mr. *Popham* and Mr. *Sands*, who were appointed to meet at the *Temple* Church at two of the Clock this Afternoon, and to make report and to return the Bill to Morrow Morning.

Further day was given for the Earl of *Kent* and the Lord *Compton*, with their Learned Council

cel to Morrow at eight of the Clock in the Forenoon.

On *Wednesday* the 25th day of *June*, my Lord of *Kent* appearing in the House, it was signified that the Queens Majesties Pleasure is, that for this time the matter between him and the Lord *Compton* be deferred; for that the said Lord *Compton* is presently appointed to attend upon the Duke *Memorancy* to *Dover*, as by Letters from the Lord *Burleigh* directed unto Mr Speaker, and containing her Highness said Pleasure in that behalf, amongst other things appeareth.

The Bill for Continuation of certain Statutes was read the first time and committed unto Mr. *Atkins*, Mr. *Dale*, Mr. *Beamond*, Mr. *Greenfeild*, Mr. *March*, Mr. *Cardinall*, Mr. *Layton*, and Mr. *Honywood*, who were appointed to meet here to Morrow Morning at six of the Clock.

The Bill against *Mary* commonly called the Queen of *Scots*, was read the third time and passed the House; and the Proviso to the same Bill had also its third reading.

Post Meridiem.

In the Afternoon the Bill for the Severance of the Sheriffs of the Counties of *Bed.* and *Bucks.* was read the second time, and Ordered to be ingrossed.

Three Bills also had each of them their third reading, and passed the House; of which one was touching the inordinate length of *Kersies*, and another for the Town of *Stafford*.

On *Thursday* the 26th day of *June*, the Bill for marking of Tanned Leather was twice read.

Six Bills were sent up to the Lords by Mr. Treasurer and others; of which one was the Bill touching Lands within the County of the City of *Exeter*, and another against *Mary* commonly called the Queen of *Scots*. Touching which Bill and business of the said Queen see on *Monday* the 12th day, *Thursday* the 15th day, *Monday* the 19th day, *Wednesday* the 21th day, *Friday* the 23th, and on *Wednesday* the 28th day of *May* preceeding; as also on *Thursday* the 5th day, *Friday* the 6th day, *Tuesday* the 10th day, *Tuesday* the 24th day, and on *Wednesday* the 25th day of this instant *June*.

The Bill for Hemp and Cordage was twice read.

Mr. Serjeant *Manwood*, Mr. *Mursh*, Mr. *Grice*, Mr. *Hastings*, Mr. *Grimston*, Mr. *Norton*, Mr. *Barrey*, Mr. *Atkins*, Mr. *Thomas Browne*, Mr. *Honywood*, Mr. *Shute*, Mr. *Burie* and Mr. *Greenfeild*, were appointed to have Conference with the Lords touching the Bill of Continuation of Statutes. And the Bill touching Sea-Marks and the Bill for the Severance of the Sheriffs of *Bedf.* and *Bucks* were sent up to the Lords by Mr. Doctor *Wilson* and the said other Committees.

Mr. Solicitor and Mr. Doctor *Lewes* did bring from the Lords the Bill touching Recoveries passed in this House before, with a Branch of Repeal of the Statute of 32 *H.8.* added by the Lords.

The Bill against delays in Judgment was read the third time, and the Proviso twice read, and thereupon Ordered to be ingrossed.

Mr. Serjeant *Barham* brought from the Lords the former Bill touching Sea-Marks, with allowance of the Amendments.

Mr. Serjeant *Barham* and Mr. Attorney General, did bring from the Lords the Bill for Continuation of Statutes with allowance of the Amendments.

On *Friday* the 27th day of *June*, the Bill touching Sea-Marks was read the third time; The Bill for Continuation of certain Statutes was twice read, with all the Additions; and the Provisoes were each of them thrice read.

The Bill for Recoveries by Collusion suffered by Tenants for term of life, and the Bill for the Continuation of Statutes, with another Bill also of no great moment, were each of them sent up to the Lords, by Mr. Treasurer, Mr. Doctor *Wilson*, and others.

Mr. Solicitor and Mr. Doctor *Huick*, did bring from the Lords the Bill for the Explanation of the Statute against Fugitives, with Additions by them made, and request for Expedition and reading thereof.

Post Meridiem.

In the Afternoon, the Addition to the Bill for Explanation of the Statute against Fugitives, was thrice read and passed.

The Proviso for the Dutchy of *Lancaster* made by this House unto the Bill for Explanation of the Statute against Fugitives, was thrice read, and passed upon the Question.

On *Saturday* the 28th day of *June*, The Proviso touching the Dutchy of *Lancaster* in the Bill for the Explanation of the Statute against Fugitives, was by Order of this House withdrawn, and a new one added, and thrice read and passed; for that the former wanted sufficient penning, to carry the meaning of this House.

Post Meridiem.

The Bill for the Explanation of the Statute against Fugitives, with the Provisoes and Amendments, and also the Bill concerning the Free Grammar-School at *Tunbridge* in the County of *Kent*, were sent up to the Lords by Mr. Chancellor of the Dutchy, and others.

Mr. Doctor *Lewes* and Mr. Doctor *Huick*, did bring from the Lords the Bill touching Grants made unto Hospitals.

Mr. Doctor *Lewes* brought word from the Lords, that their Lordships did desire present Conference with some of this House in the Bill concerning the length of *Kersies*; for which purpose were sent Sir *Rowland Hayward*, Mr. *Grimston*, Mr. *Gresham*, Mr. *Norton*, Mr. *Langley*, Mr. *Brownell*, Mr. *Fleet*, Mr. *Appleby*, Mr. *Chester* and Mr. *Sekerson*.

The Bill for Hospitals was sent up to the Lords by

by Mr. *Hugh Pawlett*, Sir *Maurice Berkley*, Sir *Owen Hopton*, and Sir *Henry Gate*.

The Bill against delays in Judgment at the Common Law passed after many Arguments, and was sent up to the Lords by Mr. Chancellor of the Dutchy and others, with special Commendations from this House.

Mr. Doctor *Lewes* and Mr. Doctor *Huick* brought from the Lords the Bill for the Statute made for the Town of *Shrewsbury*, with a Proviso.

The Proviso to the Bill for *Shrewsbury* was read three times.

On Monday the 30th day of June, the Bill for *Shrewsbury* was sent up to the Lords by Mr. Comptroller and others.

It was this day Ordered by this House upon the Question, that touching the Bill passed in this House for the School of *Tunbridge*, and *Andrew Fisher*, these words following shall be set down, viz.

Memorandum, That the Bill concerning *Tunbridge-School* and *Andrew Fisher*, in which Bill one Deed made in the name of *Henry Fisher* is supposed to be forged, was committed to the Right Honourable Sir *Walter Mildmay* Knight, Chancellor of the Exchequer, Sir *Thomas Scott*, &c. who have certified to this House, that they found great untruth and impudency in the said *Andrew Fisher*; And that for very vehement presumptions they think very Evil of the Deed. Nevertheless upon *Fishers* Submission they have been contented to withdraw out of the Bill all words that touched him in infamy. And so the Bill penned passed this House with assent on both sides, as well to help *Tunbridge-School*, as others that had bought Land of the said *Andrews* Father *bonâ fide*. And the said Committees have further reported that the same matter coming also in Question in the Upper House before Com-

mittees there at the Suit of *Henry* Brother to the said *Andrew*; the Committees of the higher House have for great Causes agreed in opinion with the Committees of this House concerning the Deed. *Vide* concerning this matter on *Wednesday* the 28th day of *May* preceeding, as also on *Tuesday* the third day, *Wednesday* the fourth day, and on *Friday* the sixth day of this instant *June* foregoing.

The Bill lastly for relief of Sir *William Harper* Knight, was read the third time.

But what further passed this day in the House of Commons doth not at all appear in the Original Journal-Book of the same House; but is negligently omitted by *Fulk Onslow* Esq; at this time Clerk thereof. Yet it is most probable, that here ended the whole, or at least the greatest part of this Forenoons Passages. And then this Sessions of Parliament being Adjourned in the Afternoon by Sir *Nicholas Bacon* Lord Keeper of the Great Seal, *Ex mandato Domine Regine*, as the words of the Original Journal-Book of the Upper House are; it should seem the said Mr. *Onslow* did omit to make any remembrance or mention thereof, although this Adjournment did add an end to this present Session, her Majesty giving her Royal Assent to thirteen publick Acts, and four private. And the reason why so few Statutes received Life, as also that neither the Bill for her Majesties general Pardon, nor any Bill of Subsidy passed the Houses at this Sessions, was in respect that it was chiefly called for Consultation and deliberation touching the dangers of her Majesty and the Realm by reason of the Scottish Queen, against whom the House of Commons did proceed with great earnestness; advising her Majesty to proceed to her final Execution, although the said advice took not effect, nor was pursued by her Majesty until the twenty eighth Year of her Reign.

T H E
JOURNAL
O F T H E
House of LORDS.

An Exact and perfect Journal of the Passages of the House of Lords, in the Parliament holden at Westminster, An. 18 Reginæ Eliz. A. D. 1575, which began there on Wednesday the 8th Day of February (after divers Prorogations of the same) and there continued until the Prorogation thereof on Thursday the 15th Day of March next ensuing.

TH E Journal of this present Session (although there were no Solemnity at the beginning thereof as of a new Parliament) yet wanted there not the Return and Entrance of divers Proxies as well extraordinary as ordinary: and although through the great negligence of *Anthony Mason* Esquire, at this time Clerk of the Upper House, there appeareth little other matter to have been agitated therein than the reading, committing and expediting of Bills; yet it is plain by the Original Journal-Book of the House of Commons, that there was some Entrance by both Houses upon the reformation of divers Abuses in the Ecclesiastical Government, and some difference between the said Houses about the Bill for the Restitution in Blood of the Heirs of the Lord *Stourton* sent down from the Lords to the Commons. Besides, this foresaid Journal is not a little enlarged and beautified by the inserting of the Speech at large of Sir *Nicholas Bacon* Lord Keeper of the Great Seal, out of a Copy thereof I had by me; which is the rather worth the noting in respect that it was doubtless the last Speech he ever made in Parliament: for before the third Session of this present Parliament, which was held five Years after the Adjournment of this present Session he died, viz. in the two and twentieth Year of her Majesty, Anno Domini 1579. and so Sir *Thomas Bromley* Knight, succeeded Lord Chancellor before the said Session in Anno 23 Reginæ ejusdem, which was the third and last Session of this instant Parliament; The first Session whereof was held in Anno 14 Reginæ prædictæ, by which means this was the longest Parliament (continuing about

eleven Years) of any during her Majesties Reign, and was not Dissolved until the five and twentieth Year of her said Reign; containing also in it three several Sessions, whereas no other consisted of above two at the most.

Memorand. quod die Mercurii, octavo die Februarii, Anno Regni excellentissimæ ac metuendissimæ Domine nostræ, Dom. Eliz. Dei gratia Angliæ, Franciæ & Hiberniæ Reginæ, Fidei Defensatricis, &c. Decimo octavo, quo die post varias ac diversas Prorogationes præsens hæc Sessio Parliamenti tenta & habita fuit apud Westmonasterium, Domini tam Temporales quam Spirituales, quorum nomina subsequuntur, præsentés fuerunt.

The Queen was not present because as it hath been observed this was no new Parliament, but the Lords met of Course.

Nicolaus Bacon Miles, Dominus Custos magni Sigilli.
Dominus *Burleigh* Thesaurarius Angliæ.

Comites.

Comes *Lincoln.* Admirallus.
Comes *Suffex.* Dominus Camerarius Hospitii Reginæ.
Comes *Northumbr.*
Comes *Kanc.*
Comes *Darb.*
Comes *Wigorn.*
Comes *Rutland.*
Comes *Huntingdon.*
Comes *Warwick.*
Comes *Southampton.*
Comes *Bedford.*

Comes

Comes *Pembroke.*
Comes *Hartford.*
Comes *Leicester.*
Comes *Essex.*
Vice-Comes *Mountague.*
Vice-Comes *Bindon.*

Episcopi.

Episcopus *London.*
Episcopus *Winton.*
Episcopus *Hereford.*
Episcopus *Elien.*
Episcopus *Meneven.*
Episcopus *Sarisburien.*
Episcopus *Covent. & Litchf.*
Episcopus *Cestren.*
Episcopus *Bangoren.*
Episcopus *Cicestren.*
Episcopus *Oxon.*
Episcopus *Roffen.*
Episcopus *Aflaven.*

Barones.

Dominus *Abergavenny.*
Dominus *Audley.*
Dominus *Dacres.*
Dominus *Stafford.*
Dominus *Gray de Wilton.*
Dominus *Dudley.*
Dominus *Lumley.*
Dominus *Darcy.*
Dominus *Wentworth.*
Dominus *Mordant.*
Dominus *Cromwell.*
Dominus *Evers.*
Dominus *Rich.*
Dominus *Pagett.*
Dominus *Howard.*
Dominus *North.*
Dominus *Shandois.*
Dominus *Hunsdon.*
Dominus *S^t John de Bletso.*
Dominus *Buckhurst.*
Dominus *de la Ware.*
Dominus *Compton.*
Dominus *Cheyney.*
Dominus *Norris.*

Which are all the Names noted in the Original Journal-Book of this eighteenth Year of the Queen to have been present this *Wednesday* the 8th of *February*.

These Lords being thus set, they fell to their ordinary business without any manner of solemnity, this being (as hath been said) no new Parliament, but only the second Session of that Parliament which began in *Anno 14 Regine Elizabethæ.*

Two Bills of no great moment had each of them their first reading; of which the first was the Bill for the reformation of the excess in Apparel.

Hodie returnatum fuit breve, quo Henricus Comes Northumbriæ presenti Parlamento interesse sum-

monebatur, qui admissus est ad suum præheminentie sedendi in Parlamento locum, salvo jure alieno.

The like several Writs returned the Earl of *Kent*, and *Charles Lord Howard*, *Lord Audley*, *William Bishop of S^t Asaph*, and *Henry Earl of Darby.*

Dominus Custos magni Sigilli continuavit præsens Parliamentum usque in diem Crastinum horâ octavâ.

Although this were but a second Session of a former Parliament (as hath been said) yet were divers Proxies sent and returned; of which (there being no mention upon what day they were introduced) I have caused two only to be inserted being extraordinary and less usual, *viz.* where two spiritual Lords Constituted three Proctors apiece, whereas they usually nominate but two, as the Temporal Lords do but one: And in respect that through the negligence of *Anthony Mason Esquire*, at this time Clerk of the Upper House, there is no day set down on which the said Proxies were introduced; therefore I have thought it most fit to insert them here at the end of the first days Passages of this present Session. Although they be Entred in the Original Journal-Book of the said House before the beginning thereof in manner and form following

Episcopus Wigorn. absens ex licentia Domine Regine constituit Procuratores suos, Johannem Episcopum Herefordens. Thomam Episcopum Coventr. & Litchf. & Thomam Episcopum Lincolni.

Episcopus Landaven. absens ex licentia Domine Regine constituit Procuratores suos Edwinum Episcopum London, Thomam Episcopum Coventr. & Litchf. & Willielmum Episcopum Aflaven.

Nota, That the Lord *Burleigh* had this Parliament four Proxies Entred in the Original Journal-Book in the same Order as they follow, but no day is set down on which they were returned, *viz.* from the Lord *Vaux*, from the Marquess of *Winchester*, from Viscount *Mountacute*, and from the Lord *Latimer.*

On *Thursday* the 9th day of *February*, the Bill for Reformation of Apparel was read *secunda vice*, and committed unto the Earl of *Sussex*, the Earl of *Leicester*, the Bishop of *London*, the Lord *Wentworth*, the Lord *North*, the Lord *Hunsdon*, the Queens Attorney and Solicitor.

Two Bill also had each of them one reading; of which one was the Bill against diminishing the Queens Majesties Coin, and was read the second time.

Nota, That this foregoing Bill had now its second reading; but there is no mention made that it was either Ordered to be ingrossed, or referred to Committees, as in the like Case is always usual, unless it be in such Bills as are sent up to the Lords from the House of Commons ready ingrossed in Parchment upon their passing of them, or else when they are fairly ingrossed in Parchment and sent from her Majesty to the House, when they immediately concern her own Person, State or Prerogative, or some Subject whom out of Grace she intendeth to have resto-

red in Blood, Naturalized or the like; and of this latter sort this present Bill seemeth to be, because it concerneth her Majesties Coin, unless perhaps the mentioning of the ingrossing or the referring thereof were omitted by the Clerks negligence, which may sometimes happen.

A Writ in common form was returned summoning the Lord *Chandois* to come to Parliament.

On *Friday* the 11th day of *February*, to which day the Parliament had been on *Thursday* last continued, the Bill for Confirmation of Letters Patents and other Assurances made by the Queens Majesty, was read the second time, and committed unto the Lord *Burleigh*, Lord Treasurer, the Earl of *Essex*, the Earl of *Bedford*, the Bishop of *London*, the Bishop of *Winchester*, the Bishop of *Hereford*, the Lord *Grey*, the Lord *Lumley*, and the Lord *Howard*.

A Writ was directed and this day returned in common form, summoning the Lord *Stourton* to come to Parliament.

The Parliament was continued in common form by the Lord Keeper until *Monday* next at nine of the Clock.

On *Monday* the 13th day of *February*, to which day the Parliament had been on *Saturday* last continued, two Bills had each of them one reading; of which the second being the Bill for Confirmation of Letters Patents and other Assurances made by the Queens Majesty, was read *secunda vice*.

But it should rather seem, that this was the first reading of this new Bill brought in by the Committees, to whom the same was referred on *Saturday* the 11th day of this instant *February* foregoing, because it had its second reading on *Wednesday* the 15th day, and its third reading on *Thursday* the 16th day of this instant Month foregoing.

The Bill for Reformation of Excess in Apparel was read *prima vice*.

Nota, That the former Bill to this effect which had been referred to Committees on *Thursday* the 9th day of this instant *February* foregoing, was (as it seemeth) dashed by them, and a new Bill brought in which had its first reading on this day, its second reading on *Wednesday*, and its third and last reading on *Thursday* the 16th day of this instant *February* following.

On *Wednesday* the 15th day of *February*, to which day the Parliament had been on *Monday* last continued, The Bill for coming to Church and receiving of the Communion, was read the second time, and committed unto the Lord *Burleigh*, Lord Treasurer, the Earl of *Suffex*, the Earl of *Bedford*, the Earl of *Leicester*, the Bishop of *London*, the Bishop of *Ely*, the Bishop of *Chichester*, the Bishop of *Lincoln*, the Lord *Cobham*, the Lord *Grey*, the Lord *Wentworth*, the Lord *North*, Justice *Mounson*, and Justice *Manwood*, and the Queens Solicitor.

Two Bills also of no great moment had each of them their second reading, and thereupon

Ordered to be ingrossed; of which the first was the Bill for reformation of excess in Apparel.

On *Thursday* the 16th day of *February*, the Bill for reformation of excess in Apparel, and the Bill for Confirmation of Letters Patents were each of them read *tertia vice & conclusæ*, and sent to the House of Commons by Dr. *Barkley* and Mr. *Powle* Clerk of the Crown.

Two Bills also had each of them one reading; of which the last being the Bill for the Repeal of a Statute made in the eighteenth year of *Henry* the Sixth, was read *prima vice* and committed to the Queens Attorney and Solicitor to consider of.

On *Saturday* the 18th day of *February*, to which day the Parliament had been on *Thursday* last continued, two Bills of no great moment had each of them one reading; of which the second being the Bill for the Repeal of a Statute made *an. 18 H. 6.* was read *secunda vice*, and committed to the Queens Attorney and Solicitor.

Nota, That this Bill was committed upon the first reading on *Thursday* the 16th day of this instant *February* foregoing to Serjeant *Barham*, the Queens Attorney, and Solicitor; by whom it should seem the Bill being brought in again without any great alteration, was now recommitted upon the second reading to the two latter of them to consider further of the same, according to the Order of the House. *Vide Febr. 22. postea.*

The Bill for the maintenance of *Rocheſter-Bridge* (which was read the first time in the beginning of this present day) was now committed unto the Archbishop of *Canterbury*, the Lord Treasurer of *England*, the Earl of *Lincoln*, Lord Admiral, Viscount *Mountague*, the Bishop of *Salisbury*, the Bishop of *Chichester*, the Lord *Abergavenny*, the Lord *Cobham*, the Lord *Buckhurst*, Justice *Manwood*, and Serjeant *Barham*.

On *Monday* the 20th day of *February*, to which day the Parliament had been on *Saturday* last continued, the Bill for the assurance of certain Lands sold by *Henry Fisher* to *Richard Smith*, was read *secunda vice*, and committed to the Queens Solicitor, &c.

The Bill also for excluding of Clergy and Purgations Ecclesiastical, was read *prima vice & commissa Justiciario Mounson*. *Vide* touching this Bill on *Wednesday* the 22th day of this instant *February* following.

On the *Tuesday* the 21th day of *February* the Bill for the repairing of *Chepstow-Bridge* was read the first time.

Four Bills were brought up to the Lords from the House of Commons; of which the first being the Bill for the explanation of the Statute of 31 *H. 8.* touching Monasteries, Abbies, Priories, &c. And the last being for the relief and re-edifying of the Borough of *New-Woodstock* in the County of *Oxford*, were each of them read *prima vice*.

The Bill for the avoiding of fraudulent Gifts of

of Lands made by the late Rebels in the North, was read *primâ vice*.

The Bill lastly for reformation of Errors in Fines and common Recoveries, was sent up to the Lords from the House of Commons.

On *Wednesday* the 22th day of *February*, Nine Bills of no great moment had each of them one reading; of which the first being the Bill for Reformation of Errors in Fines and common Recoveries, another for the assurance of certain Lands unto *Christopher Hatton* Esquire of the Privy-Chamber and Captain of her Majesties Guard, and another for the Explanation of the Statute of 31 H. 8. touching Monasteries, &c. were each of them read the second time: but no mention is made that they were either Ordered to be ingrossed or referred to Committees, because they had been sent from the House of Commons on *Tuesday* immediately foregoing, where the Bill only touching *Sir Christopher Hatton* is omitted as matter of no great moment.

The Bill lastly for excluding of Clergy and Purgations Ecclesiastical, was read *primâ vice & commissâ Comitum Northumbriæ, Comitum Huntingdon, Episcopo London. Episcopo Lincoln. Domino Hunston, Domino Buckhurst, & Justiciario Manwood & Justiciario Mounson*.

On *Thursday* the 23th day of *February*, the Bill for avoiding of fraudulent Gifts, &c. made by the late Rebels in the North, the Bill for *Rochester-Bridge*, and the Bill for repairing of *Chepstow-Bridge*, were each of them read the third time and concluded, and sent to the House of Commons, with another Bill of no great moment, by *Sir Richard Read* and *D^r Barkley*.

Two Bills also were sent up to the Lords from the House of Commons; of which the first being the Bill for the true payment of the Debts of *William Isley* Esquire, was read the first time.

The Bill lastly for the assurance of certain Lands and Tenements unto *Christopher Hatton* Esquire, was read *tertiâ vice & conclusâ*.

On *Saturday* the 15th day of *February*, to which day the Parliament had been on *Thursday* last continued, Five Bills of no great moment had each of them one reading; of which the fourth being the Bill for Reformation of Errors in Fines and common Recoveries, was read *secundâ vice & commissâ* to Justice Mounson and the Queens Attorney and Solicitor to consider of it.

On *Monday* the 27th day of *February*, the Bill for the assurance of *New-Hall* in the County of *Essex* to *Thomas Earl of Suffex*, was read *primâ vice*.

Four Bills were sent up to the Lords from the House of Commons; of which the two last were, one against diminishing and impairing the Queens Coin, and the other for repairing the Goal in *S^t Edmonds-Bury*, and of *Brandon-Bridge* in the County of *Suff*.

The Bill for the assurance of certain Lands to *Sir John Rivers* Knight, Citizen and Alderman of *London*, was read *tertiâ vice*.

On *Tuesday* the 28th day of *February*, Four Bills of no great moment had each of them one reading; of which the two last being one for the assurance of the Mannor of *New-Hall* in *Com. Essex* to *Thomas Earl of Suffex*, and the other for the appointing of Justices within *Wales*, were each of them read *secundâ vice & commissâ ad ingrossand*.

On *Wednesday* the 29th day of *February*, Seven Bills of no great moment had each of them one reading; of which the two last being one concerning Offices found within the Counties Palatines, and the other for the appointing of Justices in the Shires of *Wales*, were read *tertiâ vice & conclusâ*, and sent to the House of Commons with two others by the Queens Solicitor and *D^r Barkley*.

The Bill also for a Subsidy and two Fifteenths and Tenths granted by the Temporality, was read the second time.

Three Bills lastly of no great moment had each of them one reading; of which the first being the Bill for the assurance of the Mannor of *New-Hall* to *Thomas Earl of Suffex*, was read *tertiâ vice & conclusâ*.

On *Thursday* the first day of *March* the Bill for a Subsidy and two Fifteenths and Tenths granted by the Temporality, was read *tertiâ vice & conclusâ communi omnium Procerum assensu*.

The Bill also for the Confirmation of a Subsidy granted by the Clergy, was read the second time *& commissâ ad ingrossandum*.

Nota, That the Subsidy it self granted by the Clergy is always ingrossed in Latin, and sent up in Parchment from the Convocation House; but the Confirmation thereof by the Parliament is added unto it in English, and passed in the House as other Bills are; and this only it was that was Ordered to be ingrossed upon the second reading.

Four Bills also of no great moment had each of them one reading; of which the last being the Bill concerning Tithes within the Parish of *Hallifax* was read *tertiâ vice & conclusâ*.

The Bill for *Hallifax*, and that for taking away of Clergy, were sent from the Lords to the House of Commons by *Sir Richard Read* Knight, and *D^r Barkeley*.

The Bill for the Confirmation and establishment of the Hospital of *Leicester*, was read *secundâ vice & commissâ ad ingrossand*.

On *Friday* the second day of *March*, Four Bills of no great moment had each of them one reading; of which the second being the Bill for the Confirmation of a Subsidy granted by the Clergy, was read *tertiâ vice & conclusâ*, and sent to the House of Commons by *Doctor Lewes* and *Doctor Barkley*.

Five Bills were brought up to the House of Lords from the House of Commons; of which one was for avoiding of fraudulent Gifts and Conveyances made by the late Rebels in the North, and another for Confirmation of Letters Patents.

Two Bills also of no great moment had each of them one reading; of which the first being a Bill concerning an Hospital at *Leicester* was read *tertiâ vice & conclusa*, and sent to the House of Commons by Doctor *Vaughan* and Doctor *Barkley*.

On *Saturday* the third day of *March*, the Bill that notice may be given to Patrons of Benefices upon the Vacation of the same in certain Cases, was read *tertiâ vice & conclusa*, with certain amendments added thereunto by the Lords.

Five Bills also of no great moment had each of them one reading; of which the last being the Bill for the County Palatine of *Durham* and the Isle of *Ely*, was upon the second reading committed to the Archbishop of *Canterbury*, the Lord *Burleigh*, Lord Treasurer, the Earl of *Northumberland*, the Bishop of *London* and others.

Dominus Thesaurarius in absentia Domini Custodis magni Sigilli continuavit præsens Parliamentum usq; in diem Lunæ prox. hora nona.

Nota, That there appeareth no Commission or other Authority in the Original Journal-Book of the Upper House, by which the Lord Treasurer supplied the Lord Keepers place; but most probable it is, that either the Commission it self is negligently omitted by *Anthony Mason* Esquire, at this time Clerk of the same House, or that the Lord Treasurer did continue it only upon her Majesties verbal Authority and Command, as it is very likely the Lord Chief Justice did supply the Lord Keeper's place on *Thursday* the 5th day of *June* in the first Session of this very Parliament in *Anno 14 Regine Eliz.* And it is certain that Sir *Nicholas Bacon* Lord Keeper of the Great Seal growing at this time (after which he did not long live) both Aged and Sickly, gave occasion to her Majesty, by reason of his weakness, to Authorize others more frequently to supply his place, than it is otherwise likely she would have done. *Vide Consimil. Mar. 4. in An. 1 Eliz.*

On *Monday* the 5th day of *March*, to which day the Parliament had been on *Saturday* last continued, seven Bills of no great moment had each of them one reading; of which the last being the Bill touching the Lord Viscount *Bindon* and *Henry Howard* his Son, was read *secundâ vice & commissa ad ingrossandum*.

Seven Bills were brought up to the Lords from the House of Commons; of which one was for the assurance of certain Lands to Sir *John Rivers* Knight, and another for the perpetual maintenance of *Rocheſter*-Bridge.

Dominus Thesaurarius continuavit præsens Parliamentum usq; in diem Crastinum horâ nonâ.

On *Tuesday* the 6th day of *March*, Four Bills of no great moment had each of them one reading; of which the first being the Bill for setting the poor on work, and for avoiding of Idleness, was read the second time; but no mention made that it was either Ordered to be ingrossed or referred to Committees, because it had been formerly sent from the House of Commons.

The Bill for the true Tanning and Currying of Leather, was sent up to the Lords from the House of Commons.

Two Bills also of no great moment had each of them one reading; of which the first being the Bill touching Viscount *Bindon* and *Henry Howard* his Son, was read *tertiâ vice*.

Three Bills were brought up to the Lords from the House of Commons; of which the first was for the repairing of *Chepstow*-Bridge, and the third was the Bill for Reformation of the Jeofails.

Two Bills finally had each of them one reading; of which the second being the Bill whereby certain Authority was given to the Justices of the Queens Majesties Parks, Forests and Chases, was read *secundâ vice & commissa ad ingrossandum*.

Dominus Thesaurarius continuavit præsens Parliamentum usq; in diem prox. hora nona.

On *Wednesday* the 7th day of *March*, Three Bills of no great moment had each of them one reading; of which the third being the Bill for the restitution in Blood of *John Lord Stourton*, his Brother and Sisters, was read *tertiâ vice & conclusa*, and sent to the House of Commons by Dr *Tale*, and Dr *Barkley*.

Four other Bills also had each of them one reading; of which the third being the Bill whereby certain Authority was given to the Justices of the Queens Parks, Forests and Chases, was read *tertiâ vice & conclusa*, and sent to the House of Commons by Doctor *Tale* and Mr *Powle* Clerk of the Crown.

Five Bills were sent up to the Lords from the House of Commons; of the which one was for the Confirmation of Letters Patents with certain Amendments; and another for avoiding of fraudulent Gifts by the late Rebels in the North.

The Bill lastly for the Trial of *Nisi prius* in the County of *Middlesex* was read *secundâ vice*; but no mention is made that it was either Ordered to be ingrossed, or referred to Committees, because it had been formerly sent from the House of Commons.

Dominus Thesaurarius continuavit præsens Parliamentum usq; in diem Crastinum horâ nonâ.

On *Thursday* the 8th day of *March*, Four Bills were brought up to the Lords from the House of Commons; of which the first being the Bill for maintenance of the Colleges in the Universities of *Winchester* and *Eaton*, and the second against buying and selling of Rooms and Places in Colleges and Schools, were each of them read *primâ vice*.

Three Bills also of no great moment had each of them one reading; of which the first being the Bill for setting the poor on work and for the avoiding of Idleness, was read *tertiâ vice & conclusa*; with a Proviso added by the Lords, and certain Amendments, and sent to the House of Commons by Dr *Vaughan* and Dr *Tale*.

Dominus Thesaurarius continuavit præsens Parliamentum

liamentum usq; in horam secundam post meridiem.

About which hour the Lords Spiritual and Temporal Assembling, Ten Bills of no great moment had each of them one reading; of which the third being the Bill for the Toleration of certain Cloths in *Com. Wilts. Somers. and Dorset*; the fifth for Reformation of Disorders in common Informers; the sixth for the payment of Tythes in the Town of *Reading* in like sort as it is in the City of *London*; the seventh touching Benefices Improprate; the eighth for reformation of Abuses in Goldsmiths; and the last being the Bill for the reformation of Jeofailes, were each of them read the second time: but no mention is made that they were either referred to Committees or Ordered to be ingrossed, because they had been formerly sent from the House of Commons.

Four Bills were sent up to the Lords from the House of Commons; of which one was for the making of certain Denizens, and another for avoiding fraudulent Gifts and Conveyances made by the late Rebels in the North.

On *Friday* the 9th of *March*, Six Bills of no great moment had each of them one reading; of which the fifth being the Bill for the repairing and amending of Highways and Bridges near unto *Oxford*, and the sixth and last being the Bill that the Plaintiff shall be sworn upon his Bill as the Defendant is sworn upon his Answer, was read *secundâ vice*; but no mention is made that they were either Ordered to be ingrossed or referred to Committees, because they had been sent from the House of Commons.

Two Bills were brought up to the Lords from the House of Commons; of which the first being the Bill for the Hospital at *Leicester*, was returned *conclusa*.

Four Bills of no great moment lastly, had each of them one reading; of which the first being the Bill for the payment of Tythes in the Town of *Reading*, as in the City of *London*; and the last for repairing of the Gaol of *S^t Edmonds-Bury*, and of *Brandon-Bride* in *Com. Suff.* were each of them read *tertiâ vice & conclusa*.

On *Saturday* the 10th day of *March*, Six Bills were brought up to the Lords from the House of Commons; of which the first was the Bill for setting the Poor on work, and for avoiding of Idleness, and another was for a Confirmation of a Subsidy granted by the Clergy.

Nine Bills also of no great moment had each of them one reading; of which the first being the Bill touching the Hospital of *S^t Cross* near *Winchester*, was read *tertiâ vice & conclusa*, and sent to the House of Commons by Doctor *Barkley* and M^r *Powle* Clerk of the Crown; and another being a Bill for the Restitution in Blood of Sir *Henry Norris* Knight, Lord *Norris* of *Ricot*, was read *secundâ vice*; but no mention is made that it was either Ordered to be ingrossed or referred to Committees, because it had been formerly sent from the House of Commons.

About which hour the Lords Spiritual and Temporal Assembling, Six Bills of no great mo-

ment had each of them one reading; of which the first being the Bill for Explanation of the Statute against the defeating of Dilapidations, and against Leases to be made of Spiritual Promotions; and the second for remedy against the Plaintiff for false Complaint, were each of them read *secundâ vice*, but no mention is made whether they were Ordered to be ingrossed or referred to Committees, because they had been sent from the House of Commons.

Three Bills were brought up to the Lords from the House of Commons, of which the second being the Bill for Confirmation of an Arbitrement to be made by certain Persons, between *Richard Hudleston* Esquire, and Dame *Elizabeth Weynman* his Wife on the one part, and *Francis Weynman* Gent. on the other part, was read *primâ vice*.

Three Bills also of no great moment had each of them one reading; of which the first being the Bill for reformation of abuses in Goldsmiths, was read *secundâ vice & commissa ad ingrossand.*; and the second being the Bill for preservation of Feasants and Partridges, was read *tertiâ vice & conclusa*, and sent to the House of Commons by Doctor *Lewes* and M^r *Vaughan*.

On *Monday* the 12th day of *March*, Four Bills of no great moment had each of them one reading; of which the first being the Bill for Confirmation of an Arbitrement to be made by certain Persons, between *Richard Hudleston* Esquire and Dame *Elizabeth Weynman* on the one part, and *Francis Weynman* Gent. on the other part, was read *secundâ vice*; but no mention is made that it was Ordered to be ingrossed or referred to Committees, because it had been sent from the House of Commons on *Saturday* the 10th of this instant *March* foregoing.

The Bill also for restitution in Blood of *Anthony Mayney* was read *primâ & secundâ vice*, which as it should seem was in honour of the said *Anthony Mayney*.

Six Bills were brought up to the Lords from the House of Commons; of which one was for the maintenance of Colleges in the Universities of *Winchester* and *Eaton*, and another for the repairing and amending of Bridges and Highways near unto the City of *Oxford*.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam post meridiem.

Nota, That here the Lord Keeper continueth again the Parliament, which had been performed by the Lord Treasurer from *Saturday* the third day of this instant *March* foregoing, until this present *Monday* the 12th day of the same; but whether the one or the other were by her Majesties Commission under the Great Seal, or by any other Authority, appeareth not in the Original Journal-Book of the Upper House; but seemeth to have been omitted through the negligence of *Anthony Mason* Esquire, at this time Clerk of the same.

About which foresaid hour in the Afternoon the

the Lords Spiritual and Temporal Assembling, Six Bills of no great moment had each of them one reading; of which the second being the Bill to take away Clergy from Offenders in Rape or Burglary, and an Order for the delivery of Clerks Convict without Purgation, with certain amendments and a Proviso, was read *tertiâ vice & conclusa*: As also the Bill for restitution in Blood of *Anthony Mayney* Esquire.

An Act to redress Disorders in common Informers was sent to the Lords from the House of Commons.

The Bill lastly for Toleration of certain Clothiers in the Counties of *Wilts, Somerset* and *Gloucester*, was read *tertiâ vice & conclusa*.

Dominus Thesaurarius continuavit præsens Parliamentum usq; in diem Crastinum horâ octavâ. Vide touching the continuance of the Parliament by the Lord Treasurer on *Saturday* the third day of this instant *March* foregoing.

On *Tuesday* the 13th day of *March*, Eight Bills of no great moment had each of them one reading; of which the second being the Bill for annexing of *Gate-side* to the Town of *New-Castle*, and the seventh being for the Confirmation of an Arbitrement to be made by certain Persons between *Richard Hudleston* Esquire and Dame *Elizabeth* his Wife on the one part, and *Francis Weynman* Gentleman on the other part, with a Proviso and certain Amendments, were each of them read *tertiâ vice & conclusa*, and sent to the House of Commons by her Majesties Attorney General, Mr *Barkley* and Mr *Powle*.

The Bill for Restitution in Blood of *Anthony Mayney* Esquire, with a Proviso added by the House of Commons, was sent from thence to the Lords.

The Bill lastly for reformation of Jeofailes was read *tertiâ vice & conclusa, & commissa* Magistro *Vaughan & Magistro Powle in Domum Communionem deferend.*

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam post meridiem. Vide concerning this continuance of the Parliament by the Lord Keeper on *Monday* the 12th day of this instant *March* foregoing.

About which hour in the Afternoon the Lords Spiritual and Temporal Assembling, two Bills were brought up to the Lords from the House of Commons; of which the first was the Bill for the restitution in Blood of *John Lord Stourton*, with a new Proviso added by the said House.

After which three other Bills also were brought up to the Lords from the House of Commons; of which the first was concerning Offices found in Counties Palatines, and the last for reformation of Jeofailes.

On *Wednesday* the 14th day of *March*, the Bill for reformation of excess in Apparel was read *secundâ vice*, but no mention of committing or ingrossing because it had been sent from the Lords.

About which hour the Lords Spiritual and Temporal Assembling, two Bills were sent up to

the Lords from the House of Commons; of which the second being the Bill for the Queens Majesties most gracious general and free Pardon, was returned *conclus.*

This day also in the Afternoon the Queens Majesty with divers Lords Spiritual and Temporal were present in the Upper House; of which the Knights, Citizens, Burgeses and Barons of the House of Commons having notice, repaired thither with *Robert Bell* their Speaker, who carried up with him the Bill of one Subsidy, and two Fifteenths and Tenths, and was placed at the Rail or Bar at the lower end of the said Upper House.

But both this manner of his coming up, or what was else spoken or done this Afternoon in the said House, is wholly omitted in the Journal-Book of the same (through the great negligence of *Anthony Mason* Esquire, at this time Clerk thereof) and therefore the repairing up of the said Speaker, with the residue of the Members of the House of Commons, is Collected out of the Original Journal-Book of the same House, and the substance of the said Speakers Speech, with the Lord Keepers Answer at large, are both supplied out of a Copy of the said Lord Keepers Speech which I had by me.

The Speaker standing close to the Rail or Bar in the lower end of the Upper House, as is aforesaid, and after his humble Reverence made, delivered his Oration to her Majesty to the effect following.

First, He spoke touching sundry kinds of Government which had been in this Kingdom, and so drew his Discourse to the present time. Then he made a large enumeration of her Majesties many Vertues, and of the many benefits which the Kingdom received by her Gracious Government. After which he proceeded humbly to Petition her Majesty to make the Kingdom further happy in her Marriage, that so they might hope for a continuing Succession of those benefits in her Posterity. To which having added a commendious relation of such Acts as had passed the House of Commons, he concluded with the Presentation of the Bill of Subsidy in their names unto her Majesty. After which the Lord Keeper by her Majesties Commandment Answered as followeth, *viz.*

Mr Speaker, The Queens Majesty our most Dread and Gracious Sovereign Lady, hath heard and doth very well understand your Oration, full of good will and matter. The sum thereof may be reduced into five parts, whereof the first containeth a Discourse of sundry kinds of Government from the beginning until this time. The second the Commendations of her Majesties Vertues, and of her great and gracious Government from the beginning with a remembrance of her Highness bountiful benefits. The third concerneth the humble and earnest Petition moving her Majesty to Marry. The fourth is a Declaration

tion of Laws past in the Lower House, with an humble Suit for her Highness Royal Assent to be given unto the same. The fifth and last concerning a Presentation of a Subsidy granted in this Session.

As concerning the first, which containeth the Discourse of sundry kinds of Government, I fee not that this time and place doth require any Answer to be given unto it other than this, that you, Mr Speaker, are much to be Commended for your diligent Collecting, and also for the apt comparing of the last part of the same.

And as to the second which concerneth the Commendations of her Majesties great Vertue and good Government, with the remembrance of the manifold benefits that you have received at her Majesties Hand, her Highness hath Com-manded me to say unto you, that she wisheth of God with all her Heart, that all those Royal Vertues and principal parts, together with the great gifts of gracious Government that you make mention of, were so perfectly planted in her as best might serve to the maintenance of Gods Glory, from whom her Majesty confesseth all goodness to proceed, and best also might serve for the good Governance of you her good, loving and obedient Subjects; and withal prayeth you with her and for her to give God hearty thanks for those Vertues and Graces that it hath pleased him to bless her withal, and also to pray for the continuance of them with such increase, as shall best like his Divine Majesty. And besides this I may and dare certainly affirm unto you by her Majesties own Mouth, that if the Vertues of all the Princes in *Europe* were united within her Highness Breast, she should gladly imploy the same to the best of her Power about the good Governance of you, that be so good and loving unto her; so great is her Highness good will and inward affection toward you. Again true it is, that these your loving and reverend conceivings of the Vertuous and Gracious Government of your Sovereign, is taking by her Majesty in very thankful part, as a special and peculiar property pertaining to faithful and loving Subjects; neither will her Highness admit of any occasion that may move you to conceive otherwise than you have: neither do I think that any man can devise any more ready or any more strong perswasion to move a Princely nature to be such towards her Subjects as they can wish, than by such good, reverend and loving conception and conceiving remembred by you. To conclude, as touching this point, I am to affirm unto you from her Majesty, that she taketh your Proceedings in the Parliament both in the midst and also in the ending so graciously and in so thankful part, that if both parts and nature did concur in me abundantly to make me Eloquent (as neither of them do) yet I am sure I were not able to set forth this point according to her Highness desire, or to the worthiness of it. And for the more manifest Declaration of this and of the great good liking her Majesty hath conceived of you that

be of this Parliament, her Highness meaneth not to determine the same, but to Prorogue it until the next Winter. And as both Cognizance and Recognizance of benefits her Majesties Pleasure is, that I should declare unto you, that there is none of these benefits received by you, but she wisheth them trebble in number, and quadruple in greatness and goodness. And further, her Highness thinketh that the faithful recognizing of benefits received is one of the greatest satisfactions that a Subject can make to his Sovereign for them. And as to the third, which concerneth your humble earnest Petition, it proceedeth from your inward affections and benevolent minds founded and grounded upon the great good opinion that you have conceived of your Majesties most gracious Government over you, according to the Declaration made by you, a matter greatly moving her Majesty the rather to allow of your Petition.

The second note importeth yet more than this; for therein she conceiveth that this great good opinion of this blessed Government is not conceived by you, as it appeareth by your own Declarations, upon any sudden ground or cause, but hath grown upon the consideration of her Highness Governance during the Reign of seventeen Years now past: whereby it is evident that this is a settled and constant opinion of yours, and therefore much the more moving her Majesty to give a Gracious Ear unto this your Petition.

And yet the third note exceedeth the other two former; for in this note she conceiveth the abundance of your inward affection grounded upon her good Governance of you to be so great, that it doth not only content you to have her Majesty Reign and govern over you, but also you do desire that some proceeding from her Majesties Body might by a perpetual Succession Reign over your Posterity also: a matter greatly to move her Majesty (she saith) to incline to this your Suit. Besides her Highness is not unmindful of all the benefits that will grow to the Realm by such Marriage; neither doth she forget any perils that are like to grow for want thereof. All which matters considered, her Majesty willed me to say, that albeit of her own natural disposition she is not disposed or inclined to Marriage, neither could she ever Marry were she a private Person; yet for your sakes and the benefit of the Realm, she is contented to dispose and incline her self to the satisfaction of your humble Petition, so that all things convenient may concur that be meet for such a Marriage; whereof there be very many, some touching the state of her most Royal Person, some touching the Person of him whom God shall join, some touching the state of the whole Realm: these things concurring and considered, her Majesty hath Assented (as is before remembred.) And thus much touching this matter.

As to the fourth part which concerneth a Declaration of the Laws passed in the Session where-

unto you do pray that her Majesty would give her Royal Assent, her Majesty hath Commended your travel and pains taken in devising of these Laws, your Considerations and Carefulness in debating and consulting, and your Judgments and Determinations in concluding and passing of the same, and meaneth to give her Royal Assent to so many of them as her Majesty shall think meet and convenient to pass at this time. But here I am to remember you, that this is not all that her Highness requireth in this point; for she is desirous that the great travels, pains and great charges imployed about the making of these Laws should not be lost, neither her Majesties Royal Assent granted in vain, which must needs come to pass except you look better to the Execution of Laws than heretofore you have done; for as I have before this time seen, Laws without Execution, be nothing else but Pen, Ink and Parchment, a Countenance of things, and nothing in Deed, a cause without an effect, and serve as much to the good Governance of the Common-Weal, as the Rudder of a Ship doth serve to the good Governance of it without a Governour; and so serve to as good purpose to direct mens actions, as Torches do to direct mens goings in the dark, when their Lights be put out. Were it not great folly, trow ye, yea, and meer madness for a man to provide apt and handsome tools and instruments to reform and prune his Trees withal, and then to lay them up in fair Boxes and Bags without use of them? and is it not as strange trow ye to make Laws to reform mens manners, and to prune away the ill branches and members of the Common-Weal, and then to lay up those Laws in fair Books and Boxes without Execution of them? Surely there is a small difference betwixt these Causes; nay it were much better to have no new Laws made at all, than to have Laws not Executed: for the former doth but leave us in the state we were in before the making of the new Laws; but not to execute them is to breed a contempt of Laws and Law-makers and of all Magistrates, which is the Mother and Nurse of Disobedience; and what she breedeth and bringeth forth, I leave to you to judge.

Now this offence of not executing of Laws growing so great, it resteth to see in whose default this is, and who ought to have the burthen of it. First, certain it is, that her Majesty leaveth nothing undone meet for her to do for the Execution of Laws; for first she maketh choice of Persons of most Credit and best understanding throughout the whole Realm, to whom for the great Trust and Fidelity that she reposeth in them, she giveth Authority by Commission to execute a great part of those Laws, who also by Oath be bound to perform the same. Besides, the most special and needful Laws her Highness causeth to be Proclaimed and published unto her People; as over this also (lest men should be forgetful of their Duties) she causeth a number of her Justices to be called into publick place, and

there to be exhorted and admonished in her Majesties name to see the Execution of her Laws; and what can here be more devised for her Majesty to do? Surely in my opinion nothing.

Then falleth it out necessarily and consequently, that the burthen of all these Enormities, Absurdities and mischiefs that do grow in the Common-Wealth for not Executing of Laws, must light upon those persons that have Authority from her Majesty to Execute them and do it not: which is a burthen over-heavy for any to bear, being justly charged. For the avoiding of this therefore methinks men being thus remembred ought to seek with all diligence and endeavour to satisfie for their negligence, and uncarefulness past; which if they shall forget to do, her Majesty shall be then driven, clean contrary to her most Gracious Nature and Inclination, to appoint and assign private men, for profit and gain sake, to see her penal Laws to be Executed. The course which hitherto her Majesty hath taken hath been, to have her Laws Executed by men of Credit and Estimation for the love of Justice, uprightly and indifferently; but if they shall refuse so to do, forgetting their duty to God, Sovereign and Countrey, then of necessity rather than the Laws should be unexecuted, her Majesty shall be driven I say to commit the Execution of them to those who in respect of profit and gain, will see them Executed with all extremity. And what a burthen that will bring to the Common-Weal I leave it to your consideration. But it is to be hoped, that if the respects before remembred will not move you to see better to your Charge, yet the fear of this great inconveniency should constrain men that be in Commission to look to the better Execution of Laws. And thus much touching the fourth part.

Now as to the fifth and last which concerneth the grant of a Subsidy, her Majesty hath Com-manded me to say unto you, that that grant is a manifest Declaration by Deeds of that which before was declared by words: for how could such a Grant be made, and in such manner granted, and by such persons, but that of necessity it must proceed from the benevolent minds and hearty affections of such loving Subjects as are before remembred? True it is, that her Majesty in these your doings hath noted three things especially and principally, every of them tending much to the setting forth of your benevolence. The first, who it is that granted; the second, the manner of granting; the third, what it was that is granted. As to the first, her Majesty cannot forget, how this Grant proceeded from the earnest affections and hearty good wills of her loving and obedient Subjects. Wherefore her Majesty maketh greater account thereof than Ten Subsidies, and so she Com-manded me to say unto you. Again, her Majesty remembreth very well, that this Grant was made not by Subjects that never did the like before, but by Subjects that have been and continued to be ready from time to time to contribute towards the necessary charges

charges and defence of the Realm ; which doth greatly commend and set forth the faith this great benevolence of yours. And as to the second, which is the manner of granting, her Highness noteth two things especially ; the one is universality of consent ; and can there be a more universal consent than when all agreeing and none denying as this was ? Nay her Highness knoweth that before her time these manner of Grants passed not but with a great perswasion and many difficulties ; whereas this was frankly offered without any perswasion or difficulty at all. The other is the readines of granting. It is written of Benevolence, *Bis dat qui cito dat*, which her Majesty faith may be justly applied to these your Proceedings. And to the third, which is the thing granted, she taketh it to be as liberal as any heretofore hath been granted ; and therefore hath Comanded me to yield unto you her most hearty condign thanks, and withal to let you understand, that her Majesty is as willing and desirous to give you this whole Subsidy again : as you have been willing to grant it, if the necessity of the Realm and your Surety would suffer it. And thus much touching the granting of the Subsidy.

Now as to the due and true Execution of the same I am to exhort and also to admonish you, and yet it may be probably said, that Persons that have thus bountifully and readily made this Grant, wherein and whereby the benevolent minds and hearty affections that have been so manifestly declared in granting, that to these persons neither admonishments nor exhortations are due for the true executing of that Grant, no more than a Spur is to a Horse, that runneth as swiftly as he can. Albeit this Argument in reason carrieth probability and likelihood with it ; yet former experience hath taught that these Grants have not been so duly and truly executed as they have been benevolently granted.

After the Lord Keepers Speech was ended, the Queens Majesty did doubtless give her Royal Assent to such Acts as passed at this Session ; but neither the foresaid Speech ; nor the passing of the said Acts, is at all mentioned in the Original Journal-Book of the Upper House.

Her Majesties Royal Assent being given to the said Bills. Now follows the Adjournment of this present Session, together with the several Prorogations thereupon, out of the Original Journal Book of the same.

Dominus Custos magni Sigilli ex mandato Dominae Reginae Adjournavit praesens Parliamentum usq; in diem prox. hora secunda post meridiem.

On Thursday the 15th day of March in the Afternoon, the Queens Majesty came her self into the Upper House, where were also present the Lord Archbishop of Canterbury, Sir Nicholas Bacon Lord Keeper of the Great Seal, the Lord Burleigh, Lord Treasurer and divers other Lords both Spiritual and Temporal ; but the only occasion of her Majesties coming seemeth to have been for the Prorogation of the Parliament, which otherwise must have been done by vertue of her Majesties Commission, or Letters Patents under the Great Seal. And it is the more remarkable because I conceive it is the only President during all the said Queens Reign, in which she came to the Upper House in Person to Prorogue a Session ; the Entrance whereof in the Original Journal-Book of the same House is as followeth.

Dominus Custos magni Sigilli ex mandato Dominae Reginae Prorogavit praesens Parliamentum usq; in diem quintum Novembris prox. futurum.

After which followed divers other Prorogations, until the Assembling of the last Session of this present Parliament in Anno 23 Reginae Eliz. All which are inserted in the Original Journal-Book it self *de Anno 18 Reginae ejusdem* in the end thereof.

THE
JOURNAL
OF THE
House of COMMONS.

A Journal of the Passages of the House of Commons, in the Session of Parliament holden at Westminster, Anno 18 Reginae Eliz. A. D. 1575, which began there after divers Prorogations of the same, on Wednesday the 8th Day of February, and then and there continued until the Prorogation thereof on Thursday the 15th Day of March.

THIS present Journal of the House of Commons, containeth in it, not only many good Passages touching the ordinary usages and privileges of the House, but is plentifully stored also with divers extraordinary and rare Occurrences touching the maintenance of the Liberties of the House, not only from the indignity of private Persons, but also against the pressures of the Lords of the Upper House; in which also there wanted not the zealous endeavour of the House for reformation of divers Ecclesiastical matters, and the remarkable Imprisonment of a Member of the same by themselves: in which I have supplied many Passages and Speeches which were wanting in the Original Journal-Book it self, in the due places, out of several Copies of them I had by me. Yet to avoid confusion, whatsoever is transcribed out of the said Copies, is distinguished by some Annotation or Animadversion, both before and after it. And lastly it may here fitly be observed, that this being but the second Session of the fourth Parliament of her Majesties Reign, the House of Commons, as did also the Lords of the Upper House, fell to their ordinary business upon their first meeting in manner and form following, *viz.*

On *Wednesday* the 8th day of *February*, the Bill that upon Actions upon the Case brought for slanderous words or writings, the Country may be traversed, was read the first time.

Peter Wentworth Esquire, one of the Burgeses for the Borough of *Tregony* in the County of *Cornwall*, was for unreverent and undutiful words uttered by him in this House of our Sovereign Lady the Queens Majesty sequestred, that

the House might proceed to Conference and consideration of his said Speech. Which Speech I have transcribed out of a Copy I had by me, and added it to this Journal: *viz.*

Mr Speaker, I find written in a little Volume these words in effect: Sweet is the name of Liberty, but the thing it self a value beyond all inestimable Treasure. So much the more it becometh us to take care lest we contenting our selves with the sweetness of the name, lose and forgo the thing, being of the greatest value that can come unto this noble Realm. The inestimable Treasure is the use of it in this House. And therefore I do think it needful to put you in remembrance, that this Honourable Assembly are Assembled and come together here in this place for three special Causes of most weighty and great importance.

The first and principal is to make and abrogate such Laws as may be most for the preservation of our noble Sovereign.

The second

The third is to make or abrogate such Laws as may be to the chiefest surety, safe-keeping, and enrichment of this noble Realm of *England*. So that I do think that the part of a faithful-hearted Subject is to do his endeavour to remove all Stumbling-Blocks out of the way that may impair or any manner of way hinder these good and Godly Causes of this our coming together. I was never of Parliament but the last and the last Session, at both which times I saw the Liberty of free Speech, the which is the only Salve to heal all the Sores of this Common-Wealth, so much

much and so many ways infringed, and so many abuses offered to this Honourable Council, as hath much grieved me even of very Conscience and love to my Prince and State. Wherefore to avoid the like I do think it expedient to open the Commodities that grow to the Prince and whole State by free Speech used in this place, at the least so much as my simple Wit can gather of it, the which is very little in respect of that that wise Heads can say therein, and so it is of the more force.

First, All matters that concern Gods Honour through free Speech, shall be propagated here and set forward, and all things that do hinder it removed, repulsed and taken away.

Next, there is nothing commodious, profitable, or any way beneficial for the Prince or State, but faithful and loving Subjects will offer it in this place.

Thirdly, All things discommodious, perillous or hurtful to the Prince or State shall be prevented, even so much as seemeth good to our merciful God to put into our minds, the which no doubt shall be sufficient if we do earnestly call upon him and fear him, for *Solomon* saith, "The fear of God is the beginning of Wisdom, Wisdom, saith he, breatheth Life into her Children, receiveth them that seek her, and will go beside them in the way of Righteousness: so that our minds shall be directed to all good, needful and necessary things, if we call upon God with faithful hearts.

Fourthly, If the Envious do offer any thing hurtful or perillous to the Prince or State in this place, what incommodity doth grow thereby? Verily I think none, nay will you have me to say my simple opinion therein, much good cometh thereof; how forsooth, for by the darkness of the Night the brightness of the Sun sheweth more excellent and clear, and how can truth appear and conquer until falsehood and all subtilties that should shadow and darken it be found out? for it is offered in this place a piece of fine Needle-work unto them that are most skilful therein, for there cannot be a false stitch (God aiding us) but will be found out.

Fifthly, This good cometh thereof, a wicked purpose may the easier be prevented when it is known.

Sixthly, An evil man can do the less harm when it is known.

Seventhly, Sometime it happeneth that a good man will in this place (for Argument sake) prefer an evil cause, both for that he would have a doubtful truth to be opened and manifested, and also the evil prevented; so that to this point I conclude, that in this House which is termed a place of free Speech, there is nothing so necessary for the preservation of the Prince and State as free Speech, and without it is a scorn and mockery to call it a Parliament House, for in truth it is none, but a very School of Flattery and Dissimulation, and so a fit place to serve the Devil and his Angels in, and not to glorify

God and benefit the Common-Wealth.

Now to the impediments thereof which by Gods Grace and my little Experience I will utter plainly and faithfully, I will use the words of *Elcha*, "Behold, I am as the new Wine which hath no vent and bursteth the new Vessels in sunder, therefore I will speak that I may have a vent, I will open my Lips and make Answer, I will regard no manner of Person, no man will I spare, for if I should go about to please men, I know not how soon my Maker will take me away: my Text is vehement the which by Gods sufferance I mean to observe, hoping therewith to offend none; for that of very Justice none ought to be offended for seeking to do good and saying of the truth.

Amongst other, Mr Speaker, Two things do great hurt in this place, of the which I do mean to speak: the one is a rumour which runneth about the House and this it is, take heed what you do, the Queens Majesty liketh not such a matter, whosoever prefereth it, she will be offended with him; or the contrary, her Majesty liketh of such a matter, whosoever speaketh against it she will be much offended with him.

The other: sometimes a Message is brought into the House either of Commanding or Inhibiting, very injurious to the freedom of Speech and Consultation, I would to God, Mr Speaker, that these two were Buried in Hell, I mean rumours and Messages; for wicked undoubtedly they are, the reason is, the Devil was the first Author of them, from whom proceedeth nothing but wickedness: now I will set down reasons to prove them wicked.

First, If we be in hand with any thing for the advancement of Gods Glory, were it not wicked to say the Queen liketh not of it, or Commanded that we shall not deal in it? greatly were these Speeches to her Majesties dishonour, and an hard opinion were it, Mr Speaker, that these things should enter into her Majesties thought; much more wicked and unnatural were it that her Majesty should like or Command any thing against God, or hurtful to her self and the State. The Lord grant this thing may be far from her Majesties Heart. Here this may be objected, that if the Queens Majesty should have intelligence of any thing perillous or beneficial to her Majesties Person or the State, would you not have her Majesty give knowledge thereof in this House, whereby her peril may be prevented, and her benefit provided for? God forbid, then were her Majesty in worse case than any of her Subjects. And in the beginning of our Speech I shewed it to be a special Cause of our Assembly, but my intent is, that nothing should be done to Gods dishonour, to her Majesties peril, or the peril of the State. And therefore I will shew the inconveniences that grow of these two.

First, If we follow not the Princes mind, *Solomon* saith, *the Kings displeasure is a Messenger of Death*: This is a terrible thing to weak nature, for who is able to abide the fierce Countenance of

of his Prince, but if we will discharge our Consciences, and be true to God, and Prince and State, we must have due consideration of the place and the occasion of our coming together, and especially have regard unto the matter wherein we both shall serve God, and our Prince and State faithfully, and not dissembling as Eye Pleasers, and so justly avoid all displeasures both to God and our Prince; for *Solomon* saith, *in the way of the righteous there is life*, as for any other way it is the path to Death. So that to avoid Everlasting Death and Condemnation with the High and Mighty God, we ought to proceed in every Cause according to the matter, and not according to the Princes Mind; and now I will shew you a reason to prove it perilous always to follow the Princes Mind. Many times it falleth out, that a Prince may favour a cause perilous to himself and the whole State; what are we then if we follow the Princes Mind, are we not unfaithful unto God, our Prince and State? Yes truly, we are Chosen of the whole Realm, of a special Trust and Confidence by them reposed in us, to foresee all such Inconveniences. Then I will set down my opinion herein, that is, he that dissembleth to her Majesties peril, is to be counted as an hateful Enemy; for that he giveth unto her Majesty a detestable *Judas* his Kisse; and he that contrarieth her mind to her Preservation, yea though her Majesty would be much offended with him, is to be adjudged an approved Lover, for *faithful are the wounds of a Lover*, saith *Solomon*, but the Kisses of an Enemy are deceitful: And it is better, saith *Antisthenes*, to fall amongst Ravens than amongst Flatterers, for Ravens do but devour the dead Corps, but Flatterers the Living. And it is both Traiterous and Hellish through Flattery to seek to devour our natural Prince, and that do Flatterers; therefore let them leave it with shame enough.

Now to another great matter that riseth of this grievous rumour, what is it forsooth? whatsoever thou art that pronouncest it, thou dost pronounce thy own discredit; why so? for that thou dost what lyeth in thee to pronounce the Prince to be perjured, the which we neither may nor will believe, for we ought not without too too manifest proof to credit any dishonour to our Anointed, no we ought not without it to think any Evil of her Majesty, but rather to hold him a Lyar what credit soever he be of; for the Queens Majesty is the Head of the Law, and must of necessity maintain the Law, for by the Law her Majesty is made justly our Queen, and by it she is most chiefly maintained: hereunto

* *Bracton de Legibus Anglie, Lib. 1. Cap. 7.*

agreeth the most Excellent words of * *Bracton*, who saith, *the King hath no Peer nor Equal in his Kingdom*; he hath no Equal, for otherwise he might lose his Authority of Commanding, sithence that an Equal hath no Rule of Commandment over his Equal. The King ought not to be under man, but under God and under the Law, because the Law maketh him a King: Let

the King therefore attribute that to the Law, which the Law attributeth unto him, that is, Dominion and Power; for he is not a King in whom Will and not the Law doth rule, and therefore he ought to be under the Law. I pray you mark the Reason why my Authority saith, the King ought to be under the Law, for saith he, he is Gods Vicegerent here upon Earth, that is, his Lieutenant to execute and do his Will, the which is Law or Justice, and thereunto was her Majesty Sworn at her Coronation, as I have heard learned men in this place sundry times affirm; unto the which I doubt not but her Majesty will for her Honour and Conscience sake have special regard; for free Speech and Conscience in this place are granted by a special Law, as that without the which the Prince and State cannot be preserved or maintained: So that I would wish every man that feareth God, regardeth the Princes Honour, or esteemeth his own Credit, to fear at all times hereafter to pronounce any such horrible Speeches, so much to the Princes Dishonor; for in so doing he sheweth himself an open Enemy to her Majesty, and so worthy to be contemned of all faithful hearts. Yet there is another inconvenience that riseth of this wicked rumour, the Utterers thereof seem to put into our Heads, that the Queens Majesty hath conceived an evil opinion, diffidence and mistrust in us her faithful and loving Subjects; for if she had not, her Majesty would then wish that all the things dangerous to her self should be laid open before us, assuring her self that loving Subjects, as we are, would without Schooling and direction, with careful minds to our Powers, prevent and withstand all perils that might happen unto her Majesty: and this opinion I doubt not but her Majesty hath conceived of us, for undoubtedly there was never Prince that had faithfuller hearts than her Majesty hath here; and surely there were never Subjects had more cause heartily to love their Prince for her quiet Government than we have. So that he that raiseth this rumour, still increaseth but discredit in seeking to sow Sedition as much as lyeth in him, between our merciful Queen and us her most loving and faithful Subjects, the which by Gods Grace shall never lie in his Power, let him spit out all his venom and there withal shew out his malicious heart; yet I have collected sundry reasons to prove this a hateful and a detestable rumour, and the Utterer thereof to be a very *Judas* to our Noble Queen, therefore let any hereafter take heed how he publish it, for as a very *Judas* unto her Majesty, and Enemy to the whole State, we ought to accept him.

Now the other was a Message Mr Speaker brought the last Sessions into the House, that we should not deal in any matters of Religion, but first to receive from the Bishops: Surely this was a doleful Message, for it was as much as to say, Sirs, ye shall not deal in Gods Causes, no, ye shall in no wise seek to advance his Glory; and in recompence of your unkindness, God in his wrath will

will look upon your doings, that the chief cause that ye were called together for, the which is the preservation of their Prince, shall have no good success: If some one of this House had presently made this interpretation of this said Message, had he not seemed to have the Spirit of Prophecy? Yet truly I assure you Mr Speaker, there were divers of this House that said with grievous hearts, immediately upon the Message, that God of his Justice could not prosper the Session; and let it be holden for a principle Mr Speaker, that Counsel that cometh not together in Gods name, cannot prosper: for God saith, *Where two or three are gathered together in his name there am I in the midst among them*: Well, God even the great and mighty God, whose name is the Lord of Hosts, great in Council, and infinite in thought, and who is the only good Director of all hearts, was the last Session shut out of Doors; but what fell out of it forsooth? his great indignation was therefore poured upon this House, for he did put into the Queens Majesties Heart to refuse good and wholesome Laws for her own Preservation, the which caused many faithful hearts for grief to burst out with sorrowful tears, and moved all Papists Traytors to God and her Majesty, who envy good Christian Government, in their Sleeves to laugh all the whole Parliament House to scorn; and shall I pass over this weighty matter so slightly? Nay, I will discharge my Conscience and Duties to God, my Prince and Country. So certain it is Mr Speaker that none is without fault, no not our Noble Queen, sith then her Majesty hath committed great fault, yea dangerous faults to her self.

Love, even perfect love void of Dissimulation, will not suffer me to hide them, to her Majesties peril, but to utter them to her Majesties Safety: and these they are, it is a dangerous thing in a Prince unkindly to abuse his or her Nobility and People, and it is a dangerous thing in a Prince to oppose or bend her self against her Nobility and People, yea against most loving and faithful Nobility and People. And how could any Prince more unkindly intreat, abuse, oppose her self against her Nobility and People, than her Majesty did the last Parliament? did she not call it of purpose to prevent Traiterous perils to her Person, and for no other Cause? did not her Majesty send unto us two Bills, willing us to make choice of that we liked best for her safety, and thereof to make a Law, promising her Majesties Royal Consent thereunto? And did we not first chuse the one, and her Majesty refused it, yielding no reason, nay yielding great reasons why she ought to have yielded to it? Yet did we nevertheless receive the other, and agreeing to make a Law thereof, did not her Majesty in the end refuse all our Travels? And did not we, her Majesties faithful Nobility and Subjects, plainly and openly decypher our selves unto her Majesty and our hateful Enemies; and hath not her Majesty left us all to the open revenge? Is this a just recompence in our Christian

Queen for our faithful dealings? The Heathen do requite good for good, then how much more is it to be expected in a Christian Prince? And will not this her Majesties handling think you, Mr Speaker, make cold dealing in any of her Majesties Subjects toward her again? I fear it will. And hath it not caused many already think you, Mr Speaker, to seek a Salve for the Head that they have broken? I fear it hath, and many more will do the like if it be not prevented in time. And hath it not marvellously rejoiced and encouraged the hollow hearts of her Majesties hateful Enemies and Traiterous Subjects? no doubt but it hath: And I beseech God that her Majesty may do all things that may grieve the hearts of her Enemies, and may joy the hearts that unfeignedly love her Majesty; And I beseech the same God to endue her Majesty with his Wisdom, whereby she may discern faithful advice from traiterous sugared Speeches, and to send her Majesty a melting yielding heart unto sound Counsel, that Will may not stand for a Reason: and then her Majesty will stand when her Enemies are fallen, for no Estate can stand where the Prince will not be governed by advice. And I doubt not but that some of her Majesties Counsel have dealt plainly and faithfully with her Majesty herein; if any have, let it be a sure token to her Majesty to know them for approved Subjects; and whatsoever they be that did perswade her Majesty so unkindly to intreat, abuse and to oppose her self against her Nobility and People, or commend her Majesty for so doing, let it be a sure token to her Majesty to know them for sure Traytors and Underminers of her Majesties Life, and remove them out of her Majesties presence and favour: for the more cunning they are, the more dangerous are they unto her Majesty. But was this all? No, for God would not vouchsafe that his Holy Spirit should all that Session descend upon our Bishops; so that that Session nothing was done to the advancement of his Glory. I have heard of old Parliament men, that the Banishment of the Pope and Popery, and the restoring of true Religion had their beginning from this House, and not from the Bishops; and I have heard that few Laws for Religion had their Foundation from them; and I do surely think, before God I speak it, that the Bishops were the Cause of that doleful Message, and I will shew you what moveth me so to think: I was amongst others the last Parliament sent unto the Bishop of *Canterbury* for the Articles of Religion that then passed this House, he asked us why we did put out of the Book the Articles for the Homilies, Consecrating of Bishops, and such like? Surely, Sir, said I, because we were so occupied in other matters, that we had no time to examine them how they agreed with the word of God: what, said he, surely you mistook the matter, you will refer your selves wholly to us therein? No, by the Faith I bear to God, said I, we will pass nothing before we understand what it is; for that were

were but to make you Popes; make you Popes who list, said I, for we will make you none. And sure, Mr Speaker, the Speech seemed to me to be a Pope-like Speech, and I fear lest our Bishops do attribute this of the Popes Canons unto themselves, *Papa non potest errare*; for surely if they did not, they would reform things amiss, and not to spurn against Gods People for writing therein as they do; but I can tell them News, they do but kick against the prick, for undoubtedly they both have, and do err, and God will reveal his truth, maugre the hearts of them and all his Enemies, for great is the truth and it will prevail: and to say the truth, it is an Error to think that Gods Spirit is tied only to them; for the Heavenly Spirit saith, *first seek the Kingdom of God and the Righteousness thereof, and all these things* (meaning temporal) *shall be given you*: these words were not spoken to the Bishops only, but to all; and the Writ, Mr Speaker, that we are called up by, is chiefly to deal in Gods Cause; so that our Commission both from God and our Prince is to deal in Gods Causes: therefore the accepting of such Messages, and taking them in good part do highly offend God, and is the acceptance of the breach of the Liberties of this Honourable Council; for is it not all one thing to say, Sirs, you shall deal in such matters only, as to say, you shall not deal in such matters? and so as good to have Fools and Flatterers in the House, as men of Wisdom, grave Judgment, faithful Hearts, and sincere Consciences, for they being taught what they shall do can give their consents as well as the others: Well, *he that hath an Office*, saith St Paul, *let him wait on his Office*, or give diligent attendance upon his Office. It is a great and special part of our duty and office, Mr Speaker, to maintain the freedom of Consultation and Speech, for by this, good Laws that do set forth Gods Glory, and for the preservation of the Prince and State are made. St Paul in the same place saith, *hate that which is evil, cleave unto that which is good*: then with St Paul, I do advise you all here present, yea and heartily and earnestly desire you from the bottom of your hearts to hate all Messengers, Tale-Carriers, or any other thing whatsoever it be that any manner of way infringes the Liberties of this Honourable Council; yea hate it or them as venomous and poyson unto our Commonwealth, for they are venomous Beasts that do use it; therefore I say again and again, hate that which is evil and cleave unto that which is good; and this being loving and faithful hearted, I do wish to be conceived in fear of God, and of love to our Prince and State; for we are incorporated into this place, to serve God and all England, and not to be Time-Servers, as Humour-feeders, as Cancers that would pierce the Bone, or as Flatterers that would fain beguile all the World, and so worthy to be Condemned both of God and Man; but let us shew our selves a People endued with Faith, I mean with a lively Faith, that bringeth forth good Works, and not as Dead.

And these good Works I wish to break forth in this sort, not only in hating the Enemies before-spoken against, but also in open reprovng them as Enemies to God, our Prince and State that do use them, for they are so. Therefore I would have none spared or forbore that shall from henceforth offend herein, of what calling soever he be, for the higher place he hath the more harm he may do; therefore if he will not eschew offences, the higher I wish him hanged. I speak this in Charity, Mr Speaker, for it is better that one should be hanged, than that this Noble State should be subverted; well I pray God with all my heart to turn the hearts of all the Enemies of our Prince and State, and to forgive them that wherein they have offended, yea and to give them grace to offend therein no more; even so I do heartily beseech God to forgive us for holding our peaces when we have heard any injury offered to this Honourable Council; for surely it is no small offence, Mr Speaker, for we offend therein against God, our Prince and State, and abuse the confidence by them reposed in us. Wherefore God for his great mercies sake, grant that we may from henceforth shew our selves neither Bastards nor Dastards therein, but that as rightly begotten Children, we may sharply and boldly reprove Gods Enemies, our Princes and State; and so shall every one of us discharge our Duties in this our High Office, wherein he hath placed us, and shew our selves haters of Evil, and Cleavers to that, that is good, to the setting forth of Gods Glory and Honour, and to the Preservation of our Noble Queen and Commonwealth: for these are the marks that we ought only in this place to shoot at. I am thus earnest I take God to witness, for Conscience Sake, Love, Love unto my Prince and Commonwealth, and for the advancement of Justice; for Justice saith an Antient Father, is the Prince of all Vertues, yea the safe and faithful Guard of mans Life, for by it Empires, Kingdoms, People and Cities be governed, the which if it be taken away, the Society of man cannot long endure. And a King, saith Solomon, that sitteth in the Throne of Judgment and looketh well about him, chafeth away all evil; in the which State and Throne, God for his great mercies sake, grant that our Noble Queen may be heartily vigilant and watchful; for surely there was a great fault committed both in the last Parliament; and since also that was, as faithful hearts as any were unto the Prince and State, received most displeasure, the which is but an hard point in Policy, to encourage the Enemy, to discourage the faithful-hearted who of fervent love cannot dissemble, but follow the Rule of St Paul, who saith, *let love be without dissimulation*.

Now to another great fault I found the last Parliament committed by some of this House also, the which I would desire of them all might be left; I have from right good men in other Causes, although I did dislike them in that doing, sit in an evil matter against which they had
most

most earnestly spoken: I mused at it, and asked what it meant, for I do think it a shameful thing to serve God, their Prince or Country, with the tongue only, and not with the Heart and Body. I was answered that it was a common Policy in this House, to mark the best sort of the same, and either to sit or arise with them; that same common Policy I would gladly have banished this House, and have grafted in the stead thereof, either to rise or sit as the matter giveth Cause: *For the Eyes of the Lord behold all the Earth to strengthen all the hearts of them that are whole with him.* These be Gods own words, mark them well, I heartily beseech you all; for God will not receive half part, he will have the whole. And again, he misliketh those two faced Gentlemen, and here be many Eyes that will to their great shame behold their double dealing that use it. Thus I have holden you long with my rude Speech, the which since it tendeth wholly with pure Conscience to seek the advancement of Gods Glory, our Honourable Sovereigns Safety, and to the sure defence of this noble Isle of *England*, and all by maintaining of the Liberties of this Honourable Councel, the Fountain from whence all these do Spring; my humble and hearty Suit unto you all is, to accept my good will, and that this that I have here spoken out of Conscience and great zeal unto my Prince and State, may not be buried in the Pit of Oblivion, and so no good come thereof.

Upon this Speech the House out of a reverend regard of her Majesty's Honour, stopped his further proceeding before he had fully finished his Speech. The Message he meant and intended was that which was set by her Majesty to the House of Commons in the said fourteenth year of her Reign upon *Wednesday* the 28th day of *May*, by *Sir Francis Knolles* Knight, Treasurer of her Majesties Household, inhibiting them for a certain time to treat or deal in the matter touching the *Scottish* Queen. Now follows the proceeding of the House upon this Speech out of the Original Journal-Book it self.

Mr Wentworth being Sequestred the House as aforesaid for his said Speech, it was agreed and Ordered by the House upon the Question (after sundry Motions and Disputations had therein) that he should be presently Committed to the Serjeants-Ward as Prisoner, and so remaining should be Examined upon his said Speech for the extenuating of his fault therein, by all the Privy Council being of this House, the Master of the Requests, the Captain of the Guard, *Mr* Treasurer of the Chamber, the Master of the Jewel-House, the Master of the Wardrobe, *Mr* Lieutenant of the Tower, *Sir Thomas Scott*, *Sir Rowland Hayward*, *Mr* Attorney of the *Dutchy*, *Mr* *Henry Knolles* the Elder, *Mr* *Sampoole*, *Mr* *Randall*, *Mr* *Birched*, *Mr* *Marsh*, who were appointed to meet this Afternoon between two and three of the Clock at the Star-Chamber, and to make report at this House to Morrow next. And

then the said *Peter Wentworth* was brought to the Bar, and Committed thereupon to the said Serjeants-Ward according to the said Order.

This Afternoon-Passages being thus transcribed for the most part out of the Original Journal-Book of the House of Commons, now follows the Examination of the said *Mr Wentworth* before the Committees before appointed, which is transcribed out of a Memorial or Copy thereof set down by the said *Mr Wentworth* himself, being as followeth.

Post Meridiem.

A true Report of that which was laid to my Charge in the Star-Chamber by the Committees of the Parliament House (viz. the House of Commons) that same Afternoon (viz. Wednesday February the 8th) after that I had delivered the Speech in the House that Forenoon, and my Answer to the same.

Committees. **F**irst, Where is your late Speech you promised to deliver in writing?

Wentworth. Here it is, and I deliver it upon two Conditions; The first is, that you shall peruse it all, and if you can find any want of good will to my Prince and State in any part thereof, let me Answer all as if I had uttered all. The second is, that you shall deliver it unto the Queens Majesty; if her Majesty or you of her Privy-Council can find any want of Love to her Majesty or the State therein also, let me Answer it.

Commit. We will deal with no more than you uttered in the House.

Went. Your Honours cannot refuse to deliver it to her Majesty, for I do send it to her Majesty as my Heart and Mind, knowing it will do her Majesty good, it will hurt no man but my self.

Commit. Seeing your desire is to have us deliver it to her Majesty, we will deliver it.

Went. I humbly require your Honours so to do.

Commit. Then the Speech being read, they said, Here you have uttered certain rumors of the Queens Majesty, where and of whom heard you them?

Went. If your Honours ask me as Councillors to her Majesty, you shall pardon me; I will make you no Answer: I will do no such injury to the place from whence I came; for I am now no private Person, I am a publick, and a Councillor to the whole State in that place where it is lawful for me to speak my mind freely, and not for you as Councillors to call me to account for any thing that I do speak in the House; and therefore if you ask me as Councillors to her Majesty, you shall pardon me, I will make no Answer; but if you ask me as Committees from the House, I will make you the best Answer I can.

Commit. We ask you as Committees from the House.

Went. I will then Answer you, and the wil-linger for that mine Answer will be in some part so imperfect as of necessity it must be. Your Question consisteth of these two points, where and of whom I heard these Rumors? The place where I heard them was the Parliament House; but of whom, I assure you I cannot tell.

Commit. This is no Answer to say you cannot tell of whom, neither will we take it for any.

Went. Truly your Honours must needs take it for an Answer, when I can make you no better.

Commit. Belike you have heard some Speeches in the Town of her Majesties misliking of Religion and Succession; you are loth to utter of whom, and did use Speeches thereupon.

Went. I assure your Honours I can shew you that Speech at my own House, written with my hand two or three years ago. So that you may thereby judge that I did not speak it of any thing that I heard since I came to Town.

Commit. You have Answered that, but where heard you it then?

Went. If your Honours do think I speak for excuses sake, let this satisfie you. I protest before the living God I cannot tell of whom I heard these Rumors: yet I do verily think that I heard them of a hundred or two in the House.

Commit. Then of so many you can name some.

Went. No surely, because it was so general a Speech, I marked none; neither do men mark speakers commonly when they be general: and I assure you if I could tell, I would not. For I will never utter any thing told me, to the hurt of any man, when I am not enforced thereunto, as in this Case I may chuse. Yet I would deal plainly with you, for I would tell your Honours so, and if your Honours do not Credit me, I will voluntarily take an Oath, if you offer me a Book, that I cannot tell of whom I heard those Rumors. But if you offer me an Oath of your Authorities, I will refuse it, because I will do nothing to infringe the Liberties of the House. But what need I to use these Speeches? I will give you an instance whereupon I heard these Rumors to your satisfying, even such a one, as if you will speak the truth you shall confess that you heard the same as well as I.

Commit. In so doing we will be satisfied, what is that?

Went. The last Parliament (by which it may be conceived he meant and intended that Parliament in *an. 13 Regiæ Eliz.*) he that is now Speaker (*viz. Robert Bell Esquire*, who was also Speaker in the first Session of this present Parliament in *an. 14 Regiæ ejusdem*) uttered a very good Speech for the calling in of certain Licences granted to four Courtiers, to the utter undoing of six or eight thousand of the Queens Majesties Subjects. This Speech was so disliked of some of

the Council, that he was sent for, and so hardly dealt with, that he came into the House with such an amazed Countenance, that it daunted all the House in such sort, that for ten, twelve, or sixteen days, there was not one in the House that durst deal in any matter of importance. And in those simple matters that they dealt in, they spent more words and time in their preamble, requiring that they might not be mistaken, than they did in the matter they spake unto. This inconvenience grew unto the House by the Councillors hard handling of the said good member, whereupon this rumor grew in the House. Sirs, you may not speak against Licences, the Queens Majesty will be angry, the Council will be too too angry, and this rumor I suppose there is not one of you here but heard it as well as I. I beseech your Honours discharge your Consciences herein as I do.

Commit. We heard it we confess, and you have satisfied us in this; but how say you to the hard interpretation you made of the Message that was sent into the House? (The words were recited.) I assure you I never heard an harder interpretation of a Message.

Went. I beseech your Honours, First, was there not such a Message sent unto the House?

Commit. We grant that there was.

Went. Then I trust you will bear me Record that I made it not; and I answer you that so hard a Message could not have too hard an interpretation made by the wisest man in *England*. For can there by any possible means be sent a harder Message to a Council gathered together to serve God, than to say, you shall not seek to advance the glory of God? I am of this opinion that there cannot be a more wicked Message than it was.

Commit. You may not speak against Messages, for none sendeth them but the Queens Majesty.

Went. If the Message be against the Glory of God, against the Princes Safety, or against the Liberty of this Parliament House whereby the State is maintained, I neither may nor will hold my Peace. I cannot in so doing discharge my Conscience, whosoever doth send it. And I say, that I heartily repent me, for that I have hitherto held my Peace in these Causes, and I do promise you all (if God forsake me not) that I will never during Life hold my Tongue, if any Message is sent, wherein God is dishonoured, the Prince perilled, or the Liberties of the Parliament impeached; and every one of you here present ought to repent you of these faults and to amend them.

Commit. It is no new Precedent to have the Prince to send Messages. (Then were two or three Messages recited sent by two or three Princes.)

Went. Sirs (said I) you do very evil to alledge Precedents in this Order. You ought to alledge good Precedents to comfort and embolden men in good doing; and evil Precedents to discourage

discourage and terrifie men to do evil.

Commit. But what meant you to make so hard interpretation of Messages?

Went. Surely I marvel what you mean by asking this Question. Have I not said, so hard a Message could not have too hard an interpretation; and have I not set down the reason that moved me in my Speech, that is to say, that for the receiving and accepting that Message, God has poured so great indignation upon us, that he put into the Queens Majesties heart to refuse good and wholesome Laws for her own preservation; which caused many loving and faithful hearts for grief to burst out with sorrowful tears, and moved all Papists, Traytors to God, to her Majesty, and to every good Christian Government, in their Sleeves to laugh the whole Parliament House to scorn. Have I not thus said, and do not your Honours think it did so?

Commit. Yes truly. But how durst you say that the Queens Majesty had unkindly abused her self against the Nobility and People?

Went. I beseech your Honours tell me how far you can stretch these words of her unkindly abusing and opposing her self against her Majesties Nobility and People? can you apply them any further than I have applied them, that is to say, in that her Majesty called the Parliament of purpose to prevent Trayterous perils to her Person, and for no other Cause, and in that her Majesty did send unto us two Bills, willing us to take our choice of that we liked best for her Majesties Safety, and thereof to make a Law promising her Royal Consent thereunto; and did we not first chuse the one and her Majesty refused it? yet did not we nevertheless receive the other? and agreeing to make a Law thereof, did not her Majesty in the end refuse all our Travels? And did not the Lord Keeper in her Majesties Presence in the beginning of the Parliament, shew this to be the occasion that we were called together? And did not her Majesty in the end of the Parliament refuse all our Travels, is not this known to all here present, and to all the Parliament House also? I beseech your Honours discharge your Consciences herein, and utter your knowledge simply as I do, for in truth herein her Majesty did abuse her Nobility and Subjects, and did oppose her self against them by the way of advice.

Commit. Surely we cannot deny it, you say the truth.

Went. Then I beseech your Honours shew me if it were not a dangerous doing to her Majesty in these two respects. First in weakning, wounding and discouraging the hearts of her Majesties loving and faithful Subjects, thereby to make them the less able or the more fearful and unwilling to serve her Majesty. Another time, on the other side was it not a raising up and encouraging the hearts of her Majesties hateful Enemies to adventure any desperate enterprize to her Majesties peril and danger?

Commit. We cannot deny but that it was

very dangerous to her Majesty in those respects.

Went. And is it not a loving part of a Subject to give her Majesty warning to avoid danger?

Commit. It is so.

Went. Then why do your Honours ask how I dare tell a truth, to give the Queens Majesty warning to avoid her danger?

I Answer you thus, I do thank the Lord my God, that I never found fear in my self to give the Queens Majesty warning to avoid her danger, be you all afraid thereof if you will, for I praise God I am not, and I hope never to live to see that day, and yet I will assure your Honours that twenty times and more, when I walked in my Grounds revolving this Speech to prepare against this day, my own fearful conceit did say unto me that this Speech would carry me to the place whither I shall now go, and fear would have moved me to have put it out; then I weighed whether in good Conscience, and the duty of a faithful Subject, I might keep my self out of Prison, and not to warn my Prince from walking in a dangerous course; my Conscience said unto me that I could not be a faithful Subject, if I did more respect to avoid my own danger than my Princes danger: herewith all I was made bold and went forward as your Honours heard, yet when I uttered those words in the House, that there was none without fault, no not our Noble Queen; I paused and beheld all your Countenances, and saw plainly that those words did amaze you all: Then I was afraid with you for Company, and fear bad me to put out those words that followed, for your Countenances did assure me that not one of you would stay me of my Journey; yet the consideration of a good Conscience and of a faithful Subject did make me bold to utter it in such sort as your Honours heard, with this heart and mind I spake it, and I praise God for it, and if it were to do again I would with the same mind speak it again.

Commit. Yea but you might have uttered it in better terms, why did you not so?

Went. Would you have me to have done as you of her Majesties Privy-Council do, to utter a weighty matter in such terms as she should not have understood, to have made a fault, then it would have done her Majesty no good, and my intent was to do her good.

Commit. You have Answered us.

Went. Then I praise God for it, and as I made a Courtesie, another spake these words.

Commit. Mr Wentworth will never acknowledge himself to make a fault, nor say that he is sorry for any thing that he doth speak, you shall hear none of these things come out of his mouth.

Went. Mr Seckford, I will never confess that to be a fault to love the Queens Majesty whilst I live, neither will I be sorry for giving her Majesty warning to avoid danger while the breath is in my Body; if you do think it a fault to love

her Majesty, or to be sorry that her Majesty should have warning to avoid her danger, say so, for I cannot; speak for your self M^r Seckford.

This Examination of M^r *Wentworth* being thus transcribed out of that Copy I had of it, now follows the next days passages out of the Original Journal-Book of the House of Commons; and it is not here to be over-passed, that the said M^r *Wentworth* was by the Queens special favour restored again to his Liberty and place in the House on Monday the 12th day of March ensuing.

On Thursday the 9th day of February, it was Ordered by this House upon a Motion that John Lord *Russell*, Son and Heir Apparent of the Right Honourable the Earl of *Bedford*, being a Burgess for the Borough of *Birtport* in the County of *Dorset*, shall continue a Member of this House according to the like former President in the like Case had heretofore of the said new Earl his Father.

This day M^r Treasurer in the name of all the Committees yesterday appointed for the Examination of *Peter Wentworth* Burgess for *Tregony*, declared, that all the said Committees did meet Yesterday in the Afternoon in the Star-Chamber according to their Commission, and there Examining the said *Peter Wentworth* touching the violent and wicked words Yesterday pronounced by him in this House touching the Queens Majesty, made a Collection of the same words; which words so Collected, the said *Peter Wentworth* did acknowledge and confess. And then did the said M^r Treasurer read unto the House the said Note of Collection, which being read, he declared further that the said *Peter Wentworth* being Examined what he could say for the extenuating of his said fault and offence, could neither say any thing at all to that purpose, neither yet did charge any other person as Author of his said Speech, but did take all the burthen thereof unto himself; and so the said M^r Treasurer thereupon moved for his punishment of Imprisonment in the *Tower* as the House should think good and consider of; whereupon after sundry Disputations and Speeches, it was Ordered upon the Question, that the said *Peter Wentworth* should be committed close Prisoner to the *Tower* for his said offence, there to remain until such time as this House should have further Consideration of him. And thereupon immediately the said *Peter Wentworth* being brought to the Bar by the Serjeant received his said Judgment accordingly by the Mouth of M^r Speaker in form above-recited: And so M^r Lieutenant of the *Tower* was presently charged with the Custody of the said *Peter Wentworth*. But the said *Peter Wentworth* was shortly by the Queens special Favour restored again to his Liberty and place in the House, *Ut vide* on Monday the 12th day of March following.

M^r *Moor*, M^r *Norton*, M^r *Telverton* and M^r

Fenner were appointed to draw a Bill against stealing away of Mens Children by colour of privy Contracts.

It was resolved by this House, that any person being a Member of the same, and being either in service of Ambassage, or else in Execution, or visited with sickness, shall not in any wise be removed from their place in this House, nor any other to be during such time of service, Execution or sickness Elected. *Vide consimile* January the 19th Thursday in Anno 23 Regine Eliz.

M^r *Seckford* Master of the Requests, Sir *Nicholas Arnold*, M^r *Atkins* and M^r *Marsh* were appointed to confer together touching the number of Knights and Burgesses of the Parliament.

Three Bills lastly of no great moment had each of them their first reading; of which the last was the Bill for assurances of Lands and Tenements in antient Demesne, and for preservation of the Lords Seignories.

On Friday the 10th day of February, upon a Motion made by M^r *Dalton* in the behalf of the Lord *Russell*, supposing he should not be continued a Member of this House, it is nevertheless generally resolved by this House that he may not be discharged of the same: upon present notice whereof given unto him by the Serjeant, the said Lord *Russell* came into this House accordingly.

Nota, That this Lord *Russell* was Son and Heir Apparent of *Francis* the second Earl of *Bedford* of this Sirname, who having no place in the Upper House might very well be admitted a Member of the House of Commons, and the Precedents of this kind have been so frequent in all the Parliaments of latter times since Queen *Elizabeths* Death, as there shall need no vouching of them. And it lies also in the favour of the Prince to make such Heirs Apparent of Earldoms Members of the Upper House by Summoning them thither by Writ, but then they take not place there as the Sons of Earls, but according to the Antiquity of their Fathers Baronies.

Two Bills of no great moment had each of them their first reading; of which the second was the Bill touching Bastardy.

M^r Chancellor of the Exchequer declaring the great charges of the Queens Majesty many and sundry ways since her Entry to the Crown, as well in Foreign as Domestical occasions, for the benefit and peaceable Government of the State and Common-Wealth, and the great and imminent necessity of present provision to behad and made for the continuance of the same, did after many great and weighty reasons shewed, move for a Subsidy: which Speech in respect that it is but thus abstractedly set down in the Original Journal-Book of the House of Commons, and containeth in it matter of very good moment, I have thought good to supply it at large out of a Copy thereof I had by me being as followeth:

That in the beginning of this our meeting such matters as be of importance may be thought on
in

in time, I am bold with your favours to move you of one that in my opinion is both of moment and of necessity. To the end if you likewise find the same to be so, you may commit it further to the consideration of such as you shall think convenient.

And that you may the better judge of that which I shall propound, it is requisite that I put you in remembrance, First, how the Queen found the Realm, next how she hath restored and conserved it; and thirdly, how we stand now. Touching the first no man can be ignorant how that our most gracious Queen at her Entering found this noble Realm, by reason of the evil Government preceeding; miserably overwhelmed with Popery, dangerously afflicted with War, and grievously afflicted with Debts; the burthen of which three cannot be remembered without grief, especially if we call to mind how this Kingdom being utterly delivered from the Usurped Tyranny of *Rome*, and that many years together, was nevertheless by the iniquity of later time brought back again into the former Captivity, to the great thralldom both of Body and Soul of all the People of this Land. A wretched time, and wretched Ministers to bring to pass so wretched and wicked an Act to strengthen this Bondage of *Rome*. We saw how there was brought hither a strong Nation to press our Necks again into the Yoke; terrible this was to all the Inhabitants of this Land, and so would have proved, if their abode had been here so long as was to be feared from them; and by their occasion came the War that we entered into with *France* and *Scotland*, and not upon any Quarrel of our own; but to help them forward to their great advantage and our great loss and shame, by means whereof and of other disorders the Realm grew into great Debt both at home and abroad, and so was left to the intolerable loss and charge of her Majesty and the State. The Realm being thus miserably oppressed with Popery, with War and with Debts, the Queen our most Gracious Sovereign hath thus restored and conserved it, she hath delivered us from the Tyrannous Yoke of *Rome*, and restored again the most Holy Religion of the Gospel, not slackening any time therein; but even at the first doing that which was for the Honour of God, to the unspeakable joy of all good Subjects.

But adventuring thereby the malice of the mighty Princes of the World, her Neighbours being Enemies of our Religion; whereby it did appear how much she preferred the Glory of our God before her own Quietness: this done, she made Peace with *France* and *Scotland*, the one a mighty Nation, the other though not so Potent, yet in regard of their nearness and of their Habitation with us upon our Continent more dangerous: which may easily appear by consideration of former times, wherein it hath been seen how dangerous Scottish Wars have proved to this Realm above those of any other Nation.

But such hath been the Providence of our Gracious Queen as the Peace with *Scotland*, which in times past was found very tickle, is now become so firm as in no Age there hath been so long and so good Peace between them and us.

And that is brought to pass the rather for that her Majesty by two notable Exploits with her Forces, the one to *Lieth* and another to *Edinburgh-Castle*, hath both quieted that Realm, and taken away all occasions of Hostility that might arise against this Country; also by the first delivering *Scotland* from the *French* which had so great a footing there, as without aid from hence they must needs in short time have Tyrannized over that Country to their perpetual servitude, and to the peril also of this Country, being so near them, and they so ill Neighbours to dwell by. And by the second ending and putting out the fire of the Civil Wars amongst them to the preservation of their young King and the perpetual quietness of that Realm, both which as they have brought unto her Majesty great and immortal Honor and Renown, and to this Country and that, Peace and Surety: So you cannot but think therewith upon the Charges which necessarily follow such two Journeys furnished by Land and by Sea, as for the achieving of so great Enterprizes was requisite. What her Majesty hath done, besides for the suppressing of a dangerous and unnatural Rebellion practised by the Pope, the most principal and malicious Enemy of this State, and put in ure by certain undutiful Subjects in the North parts of this Realm was seen so late even in your view, as it needeth not to be remembered, neither the charge that belongeth to a matter of such importance as did threaten the utter ruine to our most Gracious Sovereign and to all the People of this Land, if God of his Mercy had not prevented it.

Notwithstanding all which costly Journeys both into *Scotland* and within the Realm, her Majesty hath most carefully and providently delivered this Kingdom from a great and weighty Debt, wherewith it hath been long burthened. A Debt begun four years at the least before the Death of King *Henry* the Eighth, and not cleared until within these two years, and all that while running upon Interest, a course able to eat up not only private men and their Patrimonies, but also Princes, and their Estates; but such hath been the care of this time, as Her Majesty and the State is clearly freed from that eating corrosive, the truth whereof may be testified by the Citizens of *London*, whose Bonds under the Common Seal of the City of assurance of payment being usually given and renewed, and which have hanged so many years to their great danger, and to the peril of the whole traffick are now all discharged, cancelled, and delivered into the Chamber of *London* to their own hands. By means whereof the Realm is not only acquitted of this great burthen, and the Merchants free, but also her Majesties credit thereby both at home and abroad greater than any other Prince for money,

money, if she have need, and so in reason it ought to be, for that she hath kept Promise to all men, wherein other Princes have often failed to the hindrance of many. Lastly, for this point how the Justice of this Realm is preserved and ministred to her People by her Majesties political and just Government is so well known to all men, as our Enemies are driven to confess, that Justice which is the Band of all Commonwealths doth so tie and link together all degrees of Persons within this Land, as there is suffered here no violence, no oppression, no respect of persons in Judgment; but *Jus equabile* used to all indifferently. All which godly, provident and wise acts in Government, have brought forth these effects that we be in Peace, and all our Neighbours in War; that we be in quietness at home, and safe enough from troubles abroad; that we live in Wealth and all Prosperity, and that which is the greatest, we enjoy the freedom of our Consciences delivered from the Bondage of *Rome*, wherewith we were so lately oppressed: and thus we stand.

But for all this as wise Mariners in calm weather do most diligently prepare their tackles, and provide to withstand attempts that may happen: even so in this our blessed time of Peace that we enjoy by the blessing of God through the Ministry of her Majesty, we ought in time to make provision to prevent any storm that may arise either here or abroad, and neither to be too careless or negligent, but think that the rayl of these storms, which are so bitter and so boisterous in other Countries may reach us also before they be ended, especially if we do not forget the hatred that is born us by the Adversary of our Religion both for our profession, and for that this Realm is also a merciful Sanctuary for such poor Christians as fly hither for succour; so as now one of the most principal cares that we ought to care in this great Council of the Realm is both to consider aforehand the dangers that may come by the malice of Enemies, and to provide in time how to resist them; and seeing that by those great occasions which I have remembred, you can easily understand how low her Majesties Coffers are brought, it is our parts frankly and willingly to offer unto her Majesty such a Contribution as shall be able to restore the same again in such sort as she may be sufficiently furnished of Treasure to put in order and maintain her Forces by Land and by Sea to answer any thing that shall be attempted against her and us; and unless it might seem strange to some that her Majesty should want this, some considering that not long sithence Aid was granted by the Realm. To that I Answer, That albeit her Majesty is not to yield an account how she spendeth her Treasure, yet for your satisfactions I will let you understand such things as are very true, and which I dare affirm, having more knowledge thereof than some other, in respect of the place I hold in her Majesties Service.

First how favourable the Taxations of Subsi-

dies be through the whole Realm cannot be unknown to any, whereby far less cometh to her Majesties Coffers than by the Law is granted, a matter now drawn to be so usual as it is hard to be reformed. Next the clearing of all Debts that run upon Interest to the insupportable charge of the Realm. Thirdly, the charge in suppressing the Rebellion in the North. Fourthly, the free and honourable repayment of the last Loans, the like whereof was not seen before. Fifthly, the Journey to *Edenburgh*-Castle for the quieting of that Country and this. And lastly, the great and continual Charges in *Ireland* by the evil disposition of the people there, all which could not have been performed by the last Aid, except it had pleased her Majesty to spare out of her own Revenues great Sums of money for the supplying of that which lacked, wherein she more respected the Realm than her own particular Estate, living as you see in most temperate manner, without either Building or other superfluous things of pleasure; and like as these be causes sufficient to move you to devise how these wants may be repaired, so you ought the rather to do it, for that her Majesty lacketh and cannot have without great inconvenience, those helps which in the times of her Father, her Brother and Sister were used, as the abasing of Coin, which brought infinite sums to them, but wrought great damage to the Realm, which we yet feel, and should do more, had not her Majesty to her perpetual Fame, restored the same again, so much as the time could suffer. The sale of Lands whereof came also very great sums of money, but that is not hereafter to be used, saving that by the same the Revenues of the Crown are greatly diminished, which it cannot more bear, the borrowing of money upon Interest the burthen whereof the Realm hath felt so heavy as that is never more to be done, if by any means it may be avoided. And yet notwithstanding all those helps, it is apparent that Subsidies were continually granted in those times, if so then, much more now then, besides War and other extraordinary Charges may happen, her Majesties very ordinary Charges which she cannot but sustain, are far greater by dearth of prices and other occasions, than in any other Princes days, as you may see by the ordinary and annual Charges of the Household, the Navy, the Ordnance, the Armory, the Garrison of *Berwick*, the standing Garrison and Officers within the Realm of *Ireland*. And whether these are like to be more costly to her Majesty than in former times in respect of the prices of all things, let every man judge by the experience he hath of his private expences.

And so to draw to an end for avoiding of your trouble. I trust these few things may suffice to remember us how her Majesty found the Realm, how she hath restored and preserved it, and how the present State is now, and therewith all may serve as reasons sufficient to perswade us to deal in this necessary cause as her Majesty being the

the Head of the Common-Wealth: be not unfurnished of that which will be sufficient to maintain both her self and us against the private or open malice of, Enemies, wherein let us so proceed as her Majesty may find how much we think our selves bound to God that hath given us so Gracious a Queen over us, and shew thereby also such gratuity towards her as she may perform the course of her Government *cum alacritate*.

This foregoing Speech of Sir Walter Mildmay Knight, Chancellor of the Exchequer, being thus transcribed out of the Copy thereof I had by me, now follow the Proceedings thereupon out of the Original Journal-Book of the House of Commons, by which it appeareth that divers Members of the said House were appointed immediately after it to have Conference for drawing of a Bill for a Subsidy, which Committees were as followeth, *viz.* All the Privy-Council being of this House, Mr Captain of the Guard, the Master of the Requests, Sir Thomas Scott, Sir Rowland Hayward, Sir Nicholas Arnold, Sir Thomas Shirley, Sir George Speake, Sir Henry Lea, Sir Robert Wingfeild, Sir John Thynne, Sir George Turpin, Sir William Winter, Sir William Morgan, Sir Edward Stanhope, Mr Edward Horsey Master Recorder of London, Mr Serjeant Lovelace, Mr Sampoule, Mr Grimston, Mr More, Mr Popham, Mr Yelverton, and Mr Hilliard, to meet this Afternoon at the Star-Chamber, or some other place near unto it at three of the Clock.

Mr Wilson Master of the Requests, Mr Norton, Mr Marsh, Mr Edward Stanhope, Mr Sandes, Mr Atkins, and Mr George Ireland, were appointed to draw a Bill for the safe keeping of the Church Books or Registers of the Christnings, Marriages and Burials, and to meet upon Sunday next in the Afternoon at Mr Wilsons Chamber in the Arches at three of the Clock.

Mr Comptroller, Mr Chancellor of the Exchequer, Mr Recorder of London, Mr Attorney of the Dutchy, Mr Popham, Mr Marsh, Mr Sampoule, Mr Cromwell, Mr Thomas Browne, and Mr Robert Snagg, were appointed to have Conference in the Star-Chamber to Morrow at three of the Clock in the Afternoon for drawing of a Bill against the oppression of common Promoters.

The Bill lastly, for setting the poor on work and for avoiding of Idleness, was read the second time.

On Saturday the 11th day of February, Two Bills of no great moment had each of them one reading; of which the first being the Bill for Mr Hatton was read the first time.

Upon sundry Arguments made unto the Bill for setting the poor on work and for avoiding of Idleness, it was committed unto Mr Treasurer, Sir Rowland Hayward, Sir Nicholas Arnold, Mr More, Mr Robert Bowes, Mr Atkins, Mr Alford, Mr Aldrich, Mr Sampoule, Mr Norton, Mr Cromwell, Mr Snagg, Mr Layton, Mr Waye, Mr

Popham, Mr Woley, Mr Fleet, Mr Honnywood, Mr Longley, Mr Ailmer, Mr Newdigate, Mr William Thomas, Mr Tate, Mr Owen, Mr Grimston, and Mr Cure, to meet at this House upon Monday next at three of the Clock in the Afternoon.

Christopher Dighton Gent. one of the Citizens for the City of Worcester, was licensed by Mr Speaker to take his Journey unto the said City of Worcester for Execution of *Dedimus potestatem* in the Service of our Sovereign Lady the Queens Majesty.

On Monday the 13th day of February, Five Bills of no great moment had each of them one reading; of which the last being the Bill that in Actions upon the Case brought for words, the County may be traversed was read the second time, and committed presently after this Forenoon.

Mr Treasurer for himself and the residue of the Committees for the Subsidy (whose names see on Friday the 10th day of this instant February foregoing) declared that upon Conference had amongst them at their meeting together upon Friday last, they did then Assent unto certain Articles for drawing of a Bill for one Subsidy and two Fifteenths and Tenths to be paid at several times, whereupon the same Articles were read by the Clerk, and then by Order of the House were the same Articles delivered to some of the Committees being of the Privy-Council, that some of the Queens Majesties Learned Council may by Warrant from this House cause the same Bill to be drawn accordingly. *Vide* concerning this matter on Wednesday the 27th day of this instant February ensuing.

The Bill for traversing of the County in Actions upon the Case was committed unto Mr Seckford Master of the Requests, Mr Colshill, Mr Newdigate, and others who were appointed to meet upon Thursday next at three of the Clock in the Afternoon in the Temple Church.

The Petitions touching Ports was read and committed unto all the Privy-Council being of this House, the Lord Russell, Mr Captain of the Guard, Sir Thomas Scott, Sir William Winter, Mr Recorder of London, the Burgeses for Dover, Mr Sampoule, Mr Grice, Mr John Hastings, Mr Norton, Sir Arthur Bassett, Mr Diggs, Sir Henry Gate, Sir Henry Wallop, Mr Langley, Mr Hawkins Richardson, Mr Randall, Mr Gardiner, Mr Sandes, Mr Jenison, Mr Beale, Mr Honnywood, Mr Tremaine, Sir George Speake, Mr Captain of the Wight, Sir Henry Ratcliffe, Mr Elesdon, Mr Layton, and the Burgeses of Linne, to meet to Morrow at three of the Clock in the Afternoon in the Exchequer Chamber.

Sir Nicholas Arnold, Mr Snagg, Mr Norton, and Mr Atkins, were added to the former Committees for drawing of a Bill against the Promoters (whose names see on Friday the 10th day of February) to meet upon Thursday next in the Afternoon at two of the Clock in the Treasury-Chamber near the Star-Chamber.

The Bill for reformation of Errors in Fines and

and common Recoveries was read the second time and committed unto Mr. Recorder of *London*, Mr. Attorney of the Dutchy, Mr. *Baber*, Mr. *Yelverton*, and others to meet at three of the Clock this present day in the Exchequer Chamber.

Charles Johnson of the Inner Temple Gent. being Examined at the Bar for coming into this House, this present day (the House sitting) confessing himself to be no Member of this House, is Ordered that Mr *Wilson* Master of the Requests, Mr. Recorder of *London*, and Mr. *Cromwell* to examine him (wherein he feigned to excuse himself by ignorance) he was committed to the Serjeants Ward, till further Order should be taken by this House.

Sir *Richard Read*, and Mr. Doctor *Berkley* brought into this House a Bill from the Lords touching the diminishing and impairing of the Coins of this Realm and of other Foreign Coins not currant within this Realm.

Two Bills lastly, had each of them their several readings; of which the second being the Bill for the preservation of the Lords Seignories was read the second time and Ordered to be ingrossed.

On *Tuesday* the 14th day of *February*, the Bill for Mr. *Hatton* was read the second time and Ordered to be ingrossed, and committed unto Mr. Treasurer, Mr. *Heneage*, Mr. *Cromwell*, Mr. *Dalton*, Mr. *John Spencer*, Mr. *Norton*, and Mr. *Alford*, to examine the suggestion of the Bill touching the consent of the parties to the passing of the same Bill; whereupon Mr. *John Spencer* one of the Committees, being also one of the persons named in the said Bill so resolved the residue of the Committees, that upon the report thereof made to the House by Mr. Treasurer it was presently Ordered that the Bill should be ingrossed, and the Proviso omitted and left out.

The Bill for the true payment of the Debts of *William Isley* Esquire, was read the second time, and the Proviso to the same Bill being twice read, it was committed to Mr. Secretary *Walsingham*, Mr. Chancellor of the Exchequer, Mr. Treasurer of the Chamber and others.

Two Bills lastly of no great moment had each of them one reading; of which the first being the Bill for Jeofailes was read the first time.

On *Wednesday* the 15th day of *February*, Three Bills of no great moment had each of them one reading; of which the third being the Bill against diminishing and impairing the Coins of this Realm, or of other Foreign Realms currant within this Realm, was read the second time and committed to Mr. Treasurer, Mr. Chancellor of the Exchequer, Mr. Secretary *Smith*, Mr. Secretary *Walsingham*, Mr. Captain of the Guard, Mr. Chancellor of the Dutchy, Mr. *Heneage*, Mr. Lieutenant of the Tower, Mr. *Sandes*, Mr. *Darlington*, Mr. *Popham*, and Mr. *Norton*, to confer with the Lords at the next time that any Bill shall be sent to the Lords from this House.

The Bill against Bastardy was upon the second

reading committed unto Mr. Comptroller, Mr. Secretary *Smith*, Sir *Thomas Scott*, and others to meet upon *Friday* next at three of the Clock in the Afternoon at the Star-Chamber.

The Bill for reformation of Jeofailes, &c. was read the second time and committed unto Mr. *Seckford* Master of the Requests, Mr. Serjeant *Lovelace*, Mr. Recorder of *London* and others.

The Bill for the Freemen of the City of *London* was read the second time and Ordered to be ingrossed.

Upon sundry Motions this day made touching the further proceeding with, or delivery of *Charles Johnson* Prisoner in the Serjeants Ward, it was Ordered that the matter be referred to be further resolved to Morrow next, sitting the Court. *Vide* concerning this matter on *Monday* the 13th day of this instant *February* foregoing.

On *Thursday* the 16th day of *February*, the Bill for one Subsidy and two Fifteenths and Tenths was read the first time. *Vide* concerning this Bill of the Subsidy on *Wednesday* the 27th day of this instant *February* ensuing.

Mr. Lieutenant of the Tower, Sir *Nicholas Arnold*, and Mr. Serjeant *Lovelace* were appointed to Examine the matter touching the Arrest of Mr. *Hall's* Servant before Mr. Speaker at his Chamber this Afternoon. *Vide* concerning this matter on *Saturday* the 10th day of *March* ensuing.

The Bill touching the making of Woollen Cloths in the Counties of *Wilt.*, *Somerset*, and *Gloucester*, was read the first time.

Mr. Doctor *Berkley* and Mr. *Powle* brought from the Lords the Bill against excess in Apparel, and the Bill for Confirmation of Letters Patents.

The Bill touching the making of Woollen Cloths was committed unto Mr. Comptroller, Sir *Rowland Hayward*, Sir *John Thynne*, and others who were appointed to meet upon *Saturday* next at the Guild-hall at two of the Clock in the Afternoon.

The Bill lastly for assurances of Lands late of *Edward Dacre* was read the second time, and Ordered to be ingrossed.

On *Friday* the 17th day of *February*, Five Bills of no great moment had each of them one reading; of which the fourth being the Bill against making of double double Ale, and double double Beer, and the fifth against Inholders and Tipplers, were each of them read the first time, and committed unto Sir *Henry Gates*, Sir *Rowland Hayward*, Mr. *Edward Popham* and others, who were appointed to meet to Morrow in the Afternoon at *Westminster-Hall* at three of the Clock.

Two Bills also of no great moment had each of them one reading; of which the second being the Bill against the dangerous abusing of Daggs, Pistolets, &c. was read the second time and committed unto Mr. Secretary *Smith*, Mr. Comptroller, Mr. Lieutenant of the Tower, and others to meet upon *Tuesday* next in the Exchequer Chamber at two of the Clock in the Afternoon.

The

The new Bill for reformation of Errors in Fines and common Recoveries was read the first time.

Upon sundry Motions it was concluded by this House, that according to the old precedents of this House, Mr. Serjeant *Jeffrie* being one of the Knights returned for *Sussex* may have Voice or give his attendance in this House as a Member of the same, notwithstanding his attendance in the Upper House as one of the Queens Serjeants, for his Council there as the place where he hath no Voice indeed, nor is any Member of the same.

The Bill for reformation of Under-Sheriffs and other Officers, was read the second time and committed on the day next following. *Quod nota.*

On *Saturday* the 18th day of *February*, Six Bills of no great moment had each of them one reading; of which the last being the Bill for cutting and working of tanned Leather was read the first time and committed unto Mr. Treasurer, Sir *Nicholas Arnold*, Sir *John Thynne*, Sir *George Bowes*, and others to meet upon *Tuesday* next at the *Guildhall* at two of the Clock in the Afternoon.

The Bill for assurance of Lands to be made without Coven, was read the second time and argued unto by Mr. *Ireland*, Mr. *Fenner*, Mr. *Brickbed*, Mr. *Merfb*, Mr. *Flowerdewe*, Mr. *Popham*, and others.

Mr. Comptroller, Sir *John Finch*, Sir *Henry Gate*, Sir *Morrice Berkley*, Sir *Arthur Bassett*, and divers others were appointed to meet to Morrow in the Afternoon in the *Temple Church* at two of the Clock in the Afternoon upon the Committee of the Bill of Sheriffs.

On *Monday* the 20th day of *February*, Four Bills of no great moment had each of them one reading; of which the first being the Bill for one Subsidy and two Fifteenths and Tenths was read the second time and Ordered to be ingrossed. *Vide* concerning this Bill on *Monday* the 27th day of this instant *February* ensuing.

The Provisoës also to the Bill for reformation of Errors in Fines, &c. were twice read and Ordered to be ingrossed.

Upon the Question and also upon the Division of the House, it was Ordered that *Edward Smalley* Yeoman, Servant unto *Arthur Hall* Esquire, one of the Burgesses for *Grantham*, shall have priviledge. *Vide* concerning this matter on *Saturday* the 10th day of *March* following.

On *Tuesday* the 21th day of *February*, Six Bills of no great moment had each of them their first reading; of which the first was for the perfecting of Grants made by the Dean and Chapter of *Norwich*, and the second was touching certain Prisoners in Execution escaped out of the Kings Bench.

Four Bills also of no great moment had each of them their third reading and passed the House, and were sent to the Lords by Mr. Treasurer and others; of which one was for the Free-

men of the City of *London*, and another of *Woodstock*.

The Masters of the Request, Mr. Recorder, Mr. Attorney of the Dutchy, Mr. *Sampool*, and Mr. *Snagg* were appointed to meet at the Rolls Chappel between two and three of the Clock this day in the Afternoon, touching the manner of delivery of Mr. *Hall's* Servant. *Vide de ista materia* on *Saturday* the 10th day of *March* following.

The Bill for reformation of Errors in Fines and common Recoveries was read the third time and passed the House, and a Proviso to the same Bill was thrice read.

The Committees in the Bill for Jeofailes were appointed to meet to Morrow in the Afternoon in Serjeants-Inn in *Chancery-lane*, at two of the Clock.

Two Provisoës to the Bill for the true payment of the Debts of *William Isley* Esquire, were twice read, and with the Bill Ordered to be ingrossed.

Two Bills finally of no great moment had each of them one reading; of which the second being the Bill for Butlerage and Prisage of Wines was read the second time and committed unto Mr. Treasurer, Mr. Secretary *Smith*, Mr. Chancellor of the Dutchy, Mr. Chancellor of the Exchequer, and others who were appointed to meet on *Friday* next in the Afternoon in Chequer Chamber at two of the Clock.

On *Wednesday* the 22th day of *February*, Three Bills of no great moment had each of them one reading; of which the last being the Bill for the true payment of the Debts of *William Isley* Esq; was read the third time and passed upon the Question.

Nota, Report was made by Mr. Attorney of the Dutchy upon the Committee for the delivery of Mr. *Hall's* Man, that the Committees found no precedent for setting at large by the Mace any person in Arrest but only by Writ, and that by divers precedents of Records perused by the said Committees it appeareth, that every Knight, Citizen and Burgess of this House which doth require priviledge, hath used in that Case to take a corporal Oath before the Lord Chancellor, or Lord Keeper of the Great Seal for the time being, that the party for whom such Writ is prayed came up with him and was his Servant at the time of the Arrest made, and that Mr. *Hall* was thereupon moved by this House that he should repair to the Lord Keeper and make Oath in form aforesaid, and then to proceed to the taking of a Warrant for a Writ of priviledge for his said Servant according to the said Report of the said former precedents. *Vide* concerning this matter on *Saturday* the 10th day of *March* ensuing.

On *Thursday* the 23th day of *February*, Ten Bills of no great moment had each of them one reading; of which the last being the Bill touching Presentations by Lapse was read the third time and passed the House, and sent up to the

the Lords by Mr. Treasurer and others.

The Bill for Cables and Cordage was read the second time, and upon the question rejected.

Sir *Richard Read* and Mr. Doctor *Barkley* brought from the Lords four Bills; of which one was the Bill for the repairing of *Chepstow-Bridge*, and another for the perpetual maintenance of *Rocheſter-Bridge*.

The Bill laſtly againſt the diminiſhing or impairing of Coin was read the third time and paſſed the Houſe.

On *Friday* the 24th day of *February*, Six Bills of no great moment had each of them one reading; of which the laſt being the Bill for reformation of Sheriffs was read the firſt time and committed unto Sir *Thomas Scott*, Mr. Attorney of the Dutchy, Mr. *Sampſon*, and others, to meet this Afternoon at the Temple Church at two of the Clock.

The Bill that the Queens Maſteſty may entreat the Subjects of Foreign Princes in ſuch ſort as they ſhall intreat the Subjects of this Realm, was read the ſecond time and committed unto all the Privy-Council being of this Houſe, the Maſters of the Requeſts, Mr. Captain of the Guard, Sir *Henry Knivett*, and divers others to confer preſently.

Three Bills alſo of no great moment had each of them one reading; of which the third being the Bill for Explanation of the Statute againſt Dilapidations, &c. was read the firſt time and committed to Sir *Thomas Cecil*, Mr. Recorder of London, Mr. *Popham*, and others who were appointed to meet to Morrow in the Afternoon at two of the Clock in the Exchequer Chamber.

Two Bills more had each of them one reading; of which the firſt being the Bill for the Jurors of *Middleſex*, was read the firſt time and committed to Mr. Lieutenant of the Tower, Mr. *Wroth*, Mr. *Sandes*, and others to confer to Morrow in the Morning in this Houſe at ſeven of the Clock.

The Bill for Tryal of *Niſi prius* in the County of *Middleſex* was read the ſecond time and committed to the former Committees nominated in the Bill for Jurors.

Three Bills laſtly of no great moment had each of them one reading; of which the firſt being the Bill againſt fraudulent Gifts and Conveyances made by the late Rebels in the North was read the firſt time.

On *Saturday* the 25th day of *February*, the Bill for the County Palatine of *Cheſter* was read the firſt time and committed unto Mr. Serjeant *Lovelace*, Mr. Recorder of London, Mr. *French*, Mr. *Norton*, Mr. *Snagg*, and Mr. *Townſend*, to meet at Serjeants-Inn at Mr. *Lovelace's* Chamber to Morrow in the Afternoon at three of the Clock.

Five Bills of no great moment had each of them one reading; of which the fourth being the Bill for Confirmation of Letters Patents was read the ſecond time, and committed after the reading and paſſing of the next Bill.

The Bill for the repairing of the Gaol of *St Edmunds-Bury*, was read the third time and paſſed the Houſe.

The Bill for Confirmation of Letters Patents was committed unto all the Privy-Council being of this Houſe, Mr. Captain of the Guard, Mr. Attorney of the Dutchy, Mr. Serjeant *Lovelace*, and others who were appointed to meet at Mr. Treasurers Chamber this Afternoon at two of the Clock.

Three Bills alſo of no great moment had each of them one reading; of which the third being the Bill touching fraudulent Conveyances made by the late Rebels in the North Parts, was read the ſecond time and committed unto all the Privy-Council being of this Houſe, Mr. Captain of the Guard, Sir *Henry Knivett*, Sir *Henry Gates*, Sir *George Bomes*, and others to meet this Afternoon at two of the Clock at Mr Treasurers Chamber.

The Bill for Rogues, &c. was read the ſecond time, and the Proviſoes or Additions to the ſame Bill had their firſt reading.

The Bill for Explanation of the Statute of 31 H. 8. was this day amended according to the requeſt of the Lords in that behalf.

On *Monday* the 27th day of *February*, the Bill for the Subſidy, &c. was read the third time and paſſed the Houſe, of which *Vide* on *Friday* the 10th day, *Thursday* the 16th day, and on *Monday* the 20th day of this inſtant *February* foregoing.

After ſundry Reaſons and Arguments it was reſolved that *Edward Smalley* Servant unto *Arthur Hull* Eſquire, ſhall be brought hither to Morrow by the Serjeant and ſet at liberty by Warrant of the Mace, and not by Writ; *Vide* on *Saturday* the 10th day of *March* enſuing.

Mr. Sollicitor and Mr. Dr. *Barkley* did require from the Lords that ſuch fix of this Houſe as are beſt acquainted with the Bill for Mr. *Iſley* be ſent to confer preſently with their Lordſhips touching the ſame, whereupon were appointed and preſently ſent Mr. Chancellor of the Exchequer, Mr. Serjeant *Lovelace*, Mr. *Popham*, Mr. *St Leger*, Mr. *Diggs*, and Mr. *Baber*, by whom with Mr. Treasurer and divers others were ſent up the Bill for the Subſidy with two others of no great moment, and alſo the Bill for the Explanation of the Statute of 31 H. 8. with ſome amendments.

On *Tuesday* the 28th day of *February*, the Bill for the Lady *Grey* was read the ſecond and third time and paſſed the Houſe.

Four other Bills of no great moment had each of them one reading; of which one being for *Chepstow-Bridge*, and another for the perpetual maintenance of *Rocheſter-Bridge*, were each of them read the ſecond time, but no mention is made that they were either Ordered to be ingroſſed or referred to Committees, becauſe they had been ſent from the Lords on *Thursday* the 23th day of this inſtant *February* foregoing.

The Bill againſt Broggers and Drovers was read the firſt time and committed unto Mr. Comptroller,

troller, Sir *Nicholas Arnold*, Sir *William Winter*, Sir *Rowland Hayward*, and others who were appointed to meet to Morrow in the Afternoon at two of the Clock in the Star-Chamber.

The Bill for the *Haberdashers* was read the second time, and a Proviso to the same Bill was read the first time, and thereupon the Bill was committed unto Mr. Comptroller, Mr. Treasurer, Mr. *Hastings*, Mr. *Hoddy*, Mr. *French*, Mr. *Alford*, and Mr. *Norton*, to meet to Morrow in the Afternoon at three of the Clock in the Exchequer Chamber.

Certain Amendments in the Bill of Rogues, &c. reported by Mr. Treasurer upon the last Committee of the Bill, which amendments were read and thereupon the Bill Ordered to be ingrossed.

Two Bills lastly had each of them their first reading; of which the latter was the Bill for Trials by Juries.

Edward Smalley Servant unto *Arthur Hall* Esq; being this day brought to the Bar in the House by the Serjeant of this House, and accompanied with two Serjeants of *London*, was presently delivered from his Imprisonment and Execution according to the former Judgment of this House, and the said Serjeants of *London* discharged of their said Prisoner: and immediately after that the said Serjeants of *London* were sequestred out of this House, and the said *Edward Smalley* was committed to the charge of the Serjeant of this House. And thereupon the said *Edward Smalley* was sequestred till this House should be resolved upon some former Motions, whether the said *Edward Smalley* did procure himself to be Arrested upon the said Execution, in the abusing and contempt of this House, or not. *Vide Mar. 10. Saturday postea.*

All the Privy-Council being of this House, the Lord *Russell*, Mr. Captain of the Guard, Mr. *Wilson*, Mr. Lieutenant of the Tower, Sir *William Winter*, Mr. Serjeant *Lovelace*, Sir *Henry Knivett*, Mr. *Crooke*, Mr. *Coleby*, Mr. *Popham*, and Mr. *Norton*, were appointed to meet upon *Friday* next in the Afternoon at three of the Clock in the Exchequer Chamber, but through the great negligence of *Fulk Onslow* Esquire, at this time Clerk of the House of Commons, the business about which the foresaid Members of the House were appointed to meet, doth not at all appear.

On *Wednesday* the 29th day of *February*, Seven Bills of no great moment had each of them one reading; of which one being the Bill for *Chepstow-Bridge*, another for *Rocheſter-Bridge*, and the third for the Town of *Reading*, were each of them read the third time and upon the Question passed the House.

Upon a Motion made by *Robert Bainbrigge* Gent. one of the Burgesies for the Borough of in the County of against one *Williams*, as well for sundry unfitting Speeches pronounced by the said *Williams* in misliking of the present State and Government of the Realm, and also for threatening and assaulting of the said *Robert*

Bainbrigge, the Serjeant of this House was thereupon by Order of this House presently sent for the said *Williams* to be brought unto this House, to Answer such matters as shall be objected against him.

Two Bills of no great moment had each of them one reading; of which the second being the Bill against excess in Apparel was read the first time.

The Petition and Motions made touching the reformation of Discipline in the Church, was committed only to all the Privy-Council of this House. *Vide* concerning this matter on *Friday* the 10th day of *March* ensuing.

Mr. Solicitor and Mr. Doctor *Berkley* brought from the Lords four Bills; of which the first was the Bill for the assurance of the Mannor of *New Hall* to *Thomas* Earl of *Suffex*, the second for the appointing of Justices in the Shires of *Wales*, the third concerning Offices found in the Counties Palatines, and the last for the assurance of certain Lands unto Sir *John Ryvers* Knight.

All the Privy-Council being of this House, the Lord *Russell*, the Masters of the Requests, Sir *Thomas Scott*, Sir *Henry Gates*, Sir *Henry Walpole*, and divers others were appointed to meet this Afternoon in the Exchequer Chamber, between two and three of the Clock, and agree touching the nature of the Petition to be made to the Queens Majesty upon the Motions for reformation of Discipline in the Church, and that the matter of the Petition so agreed upon: then those of the Privy-Council only to move the same to the Lords of the Privy-Council after report first made thereof to this House. *Vide* concerning this matter on *Friday* the 10th day of *March* following.

Walter Williams being brought to the Bar confessed that he did strike Mr. *Bainbrigge*, and that he offered to strike at him with his Dagger: Whereupon it was Ordered that he remain in the Serjeants Ward till the Order of this House be further known: to Morrow *Vide*.

On *Thursday* the first day of *March*, Seven Bills of no great moment had each of them one reading; of which one being the Bill for the true making of Woollen-Cloths, another for *Kentish* and *Suffolk* Cloths, and another for toleration of certain Clothiers in the Counties of *Somerset*, *Wilts*, and *Gloucester*, were each of them read the first time, and thereupon committed to the former Committees (who were nominated on *Thursday* the 16th day of *February* foregoing) and unto Sir *Thomas Scott*, Mr. Serjeant *Lovelace*, Mr. *Savile*, Mr. *Peacock*, Mr. *Gargrave*, Mr. *Mickleborn*, Mr. *Langley*, and Mr. *S^t John*, to meet this Afternoon in the Star-Chamber at two of the Clock, as also to confer touching the unlawful ingrossing of Woolls.

Two Bills also had each of them their first reading; of which the second was the Bill against common Promoters.

Sir *Richard Read* and Mr. Doctor *Vaughan* brought from the Lords the Bill for the payment

of Tythes within the Parish of *Hallifax*, and the other to take away the benefit of Clergy from Offenders in Rape and Burglary.

Martin Cole one of the Burgesses for *Sudbury* in the County of *Suffolk*, was this day Licensed by Mr. Speaker for his great business to be absent for four days.

The Bill lastly for setting the Poor on work and for avoiding of idleness, was read the third time and passed the House.

On *Friday* the second day of *March*, Six Bills of no great moment had each of them one reading; of which the second being the Bill for assurance of certain Lands to *Sir John Rivers* K^t, was read the second time, but no mention is made that it was either Ordered to be ingrossed or referred to Committees, because it had been formerly sent from the Lords.

The Bill against wearing of unlawful Weapons was twice read, and committed thereupon unto Mr. Comptroller, *Sir Henry Radcliffe*, *Sir Thomas Scott*, *Sir Henry Knivett*, *Sir Henry Gates*, and others to be considered of presently.

Two Bills also had each of them one reading; of which the second being the Bill against the buying and selling of rooms and places in Colledges, Schools, &c. was read the first time.

Mr. Treasurer, one of the Committees for the Petition touching reformation of the Discipline of the Church, reported that he and the residue of the Committees have met and agreed upon a Bill to be made for that purpose, which Bill was then offered and received in the said House, and then read accordingly. *Vide* concerning this matter on *Friday* the 9th day of this instant *March* ensuing.

The two Bills, *viz.* for maintenance of Colledges, and against buying and selling of rooms and places in Schools were appointed to be considered of presently by Mr. Chancellor of the Exchequer, Mr. Secretary *Smith*, Mr. *Wilson* Master of the Requests, Mr. *Heneage*, Mr. *Fortescue*, and others.

The Bill touching Grants made by the Dean and Chapter of *Normich*, was read the second time and committed unto Mr. Chancellor of the Exchequer, Mr. Secretary *Smith*, Mr. Captain of the Guards, and others who were appointed to meet to Morrow at three of the Clock in the Afternoon in the Exchequer Chamber.

Mr. Doctor *Lewes* and Mr. Dr. *Berkley* did bring from the Lords the Bill for the Subsidy of the Clergy.

The Bill for setting the Poor on work and for avoiding of Idleness with two others of no great moment were sent up to the Lords by Mr. Treasurer and others.

Two Bills of no great moment had each of them one reading; of which the second being the Bill for toleration of certain Clothiers within the Counties of *Wiltshire*, *Somerset* and *Gloucester*, were each of them read the second time and Ordered to be ingrossed.

Mr. Doctor *Vaughan* and Mr. Dr. *Berkley* did

bring from the Lords the Bill for Confirmation of an Hospital in *Leicester*.

Two Bills lastly, had each of them one reading; of which the first being the Bill for the true making of Woollen-Cloths, was read the second time and Ordered to be ingrossed.

On *Saturday* the third day of *March*, Four Bills of no great moment had each of them one reading; of which the second being the Bill for the Tythes of *Hallifax*, was read the second time, but no mention is made whether it was ingrossed or referred to Committees, because it had been sent from the Lords on *Thursday* the first day of this instant *March* foregoing.

The Bill touching the Children of Strangers Parents born in this Realm, was read the second time and committed unto Mr. Treasurer, Mr. Recorder of *London*, Mr. *Norton*, Mr. *Comper*, Mr. *Cromwell*, Mr. *Snagg*, Mr. *Alford* and Mr. *Dalton*. Mr. Solicitor and Mr. Serjeant *Barham*, brought word from the Lords that on *Monday* next at Eight of the Clock in the Morning the Lords have appointed to have Conference with the Committees of this House touching the Bills for Confirmation of Letters Patents, and the Bill touching the Lands of the late Rebels in the North parts: Whereupon it was Ordered that the former Committee for the said Bill of Confirmation of Letters Patents, have added unto them Mr. *Norton*, Mr. *Topcliffe*, and *Sir George Bowes*.

Two Bills lastly had each of them one reading; of which the first being the Bill for reformation of Errors in Fines and common Recoveries within the County Palatine of *Chester*, was read the third time and passed the House.

Post Meridiem.

In the Afternoon seven Bills of no great moment had each of them one reading; of which the last being the Bill for the Assize of Wood within the City of *London*, was read the second time and committed unto Mr. Treasurer, Mr. Lieutenant of the Tower, *Sir Rowland Hayward*, and others, to confer to Morrow at three of the Clock in the Afternoon at Mr. Treasurers Chamber.

The Bill for the Hospital in the Town of *Leicester* was read the first, second and third time, and passed the House. *Quod nota.*

The Bill finally for two Justices to be had in *Wales*, and the County Palatine of *Chester*, was read the second time, but no mention is made either that it was referred to Committees, or Ordered to be ingrossed, because it had been sent from the Lords.

On *Monday* the 5th day of *March*, the Bill for the paving of the City of *Chichester* was twice read and Ordered to be ingrossed.

Seven Bills of no great moment had each of them one reading; of which the third being the Bill for mending the High-ways and Bridges near *Oxford*, was read the second time and Ordered to be ingrossed.

The Bill for *Rochester-Bridge*, and the Bill for Trial of *nisi prius* in the County of *Middlesex*, and the Bill for reformation of Errors in Fines and common Recoveries in the County Palatine of *Chester*, with four others of no great moment were sent up to the Lords by Mr. Comptroller and others.

Three Bills also of no great moment had each of them one reading; of which the third being the Bill for the Artificers, Foreign and Denizens, was read the first time, and committed unto the Masters of the Requests, Mr. Lieutenant of the Tower, Mr. Treasurer of the Chamber, and others, to meet at *Guild-hall* to Morrow in the Afternoon at three of the Clock.

The Bill touching Inholders, common Cooks and Wine-Sellers, &c. was read the second time and Ordered to be ingrossed.

Mr. Doctor *Tale* and Mr. Doctor *Berkley* did bring from the Lords the Bill touching Presentations by Lapse with some Amendments, which Bill was before sent unto them from this House.

The Bill for toleration of certain Clothiers in the Counties of *Wilts*, *Somerset* and *Gloucester*, was sent up unto the Lords by Mr. Comptroller and others.

Two Bills also of no great moment had each of them one reading; of which the second being the Bill against Inholders, &c. was committed unto the former Committees, and unto Mr. *Stanhope*, Mr. *Edgcomb*, Mr. *Dalton*, Mr. *Alford*, Mr. *Scone*, and Mr. *St John*, who were appointed to meet here this Afternoon in the Committee Chamber of this House.

Two Bills of no great moment had each of them their second reading; of which the first being the Bill touching Goldsmiths, &c. was Ordered to be ingrossed.

Post Meridiem.

In the Afternoon the Bill against the wearing and using of unlawful Weapons was twice read.

The new Bill of Jeofailes was twice read, and Ordered to be ingrossed.

The Bill for Trials by Juries was read the second time, and committed unto Mr. Lieutenant of the Tower, Sir *Henry Knivet*, Sir *George Penrudock*, Mr. *Sampoole*, Mr. *Brown*, and others, who were appointed to meet to Morrow at seven of the Clock in the Morning in the Committee Chamber of this House.

Four Bills lastly had each of them one reading; of which the last being the Bill against taking and killing of Partridges and Pheasants was read the second time and Ordered to be ingrossed.

On *Tuesday* the 6th day of *March*, four Bills of no great moment had each of them one reading; of which the last being the Bill touching the Tanning and Currying of Leather was read the third time and passed the House, and was

sent up to the Lords by Mr. Treasurer and others.

The Bill against the Inning of Salt-Marshes was twice read, and committed unto Mr. Treasurer, Mr. Comptroller, Mr. *Andrews*, Sir *William Winter*, Sir *Valentine Brown*, Sir *George Penrudock* and others, to be considered of presently.

Three Bills also of no great moment had each of them their third reading and passed the House; of which the second being the Bill for reformation of Jeofailes, and the third against the abuses of Goldsmiths, were sent up to the Lords with the Bill for *Chepstow*, by Mr. Comptroller and others.

The Bill for Trial by Juries was Ordered to be ingrossed.

On *Wednesday* the 7th day of *March*, Two Bills of no great moment had each of them one reading; of which the first being the Bill for the paving of the City of *Chichester* was read the third time, and passed the House.

The Bill for the maintenance of the Colledges in the Universities, and of *Eaton* and *Winchester*, was twice read and Ordered to be ingrossed.

The Bill for Butlerage and prisage of Wines was read the first time.

The Bill for collateral Warranties was twice read and committed unto the Master of the Wardrobe, Sir *Henry Knivet*, Mr. Serjeant *Jeffries*, Mr. *Colby*, Mr. *French*, Mr. *Snagg*, Mr. *Lewkenor*, and others, to confer this Afternoon.

Peremptory day was given for the Council of the Lady *Waynman* and her adverse party, to be here at this House to Morrow next at eight of the Clock in the Forenoon.

All the Privy-Council being of this House, Mr. Captain of the Guard, the Masters of the Requests, Sir *Nicholas Arnold*, Mr. *Sampoole*, and Mr. *Cromwell*, were appointed to meet this Afternoon at one of the Clock in the Chequer Chamber; but it doth not appear about what business these foresaid Members of the House of Commons were appointed to meet.

All the Privy-Council being of this House, Mr. Captain of the Guard, Mr. Serjeant *Lovelace* and Mr. Serjeant *Jeffries* were added to the former Committees for Fines and Recoveries.

Mr. *Purcell*, Mr. *Glascoe*, Mr. *Hanner*, Mr. *Townesend*, Mr. *Davies*, Mr. *Bostock*, Mr. *Price*, Mr. *Aylmer*, and Mr. *Broughton*, were appointed to have Conference with the Lords this Afternoon touching the Bills for reformation of Errors in Fines and common Recoveries in the County Palatine of *Chester*, and in *Wales*, and also touching some general Bill for that purpose to be devised.

Mr. Treasurer, Sir *Nicholas Arnold*, Mr. *Cromwell*, Mr. *Sandes*, and Mr. *Sampoole*, were appointed to confer presently with the Lords touching the Bill of Rogues.

The Bill for the having of two Justices in the Shires of *Wales*, was read the third time and passed the House.

Mr.

Mr. Doctor *Tale* and Mr. Doctor *Barkley* brought from the Lords a Bill for the restitution in Blood of the Heirs of the Lord *Stourton*.

The Bill for reformation of Letters Patents was read the third time with some Amendments.

The Bill to take away the benefit of Clergy from such as commit Rapes and Burglaries, and touching the purgation of Clerks Convict was thrice read, and committed unto Sir *Henry Knivett*, Mr. Serjeant *Lovelace*, Mr. Serjeant *Jeffries*, Mr. *Sampoole*, Mr. *Windham*, Mr. *Atkins*, Mr. *Dan-net*, Mr. *Diggs*, and others.

Mr. Doctor *Tale* and Mr. *Powle* did bring from the Lords a Bill touching certain Authority given to the Justices of the Queens Majesties Forests, Chaces, and Parks, with commendation for expedition.

Mr. Serjeant *Barham* and Mr. Doctor *Vaughan* did bring word from the Lords, that their Lordships do require that the Committees of this House may confer with them to Morrow in the Morning before eight of the Clock in the Parliament Chamber.

The Bill against the abuse of Goldsmiths, the Bill for Confirmation of Letters Patents, the Bill touching fraudulent Conveyances by the late Rebels in the North, and the Bill for paving of the City of *Chichester*, with one other of no great moment were sent up to the Lords by Mr. Comptroller and others.

Post Meridiem.

In the Afternoon an Abstract of a Devise for setting the Poor on work by the sowing and using of Rape-feed, Hemp-feed, and Flax-feed, was read to this House.

Two Bills of no great moment had each of them their third reading, and passed the House; of which the first was the Bill for repairing of High-ways and Bridges near *Oxford*.

Upon the question it was Ordered that Mr. *Hall* be sequestred the House while the matter touching the supposed contempt done to this House be argued and debated.

Edward Smalley upon the question was adjudged guilty of contempt, and abusing of this House by fraudulent practice of procuring himself to be Arrested upon the Execution of his own assent and intention, to be discharged as well of his Imprisonment as of the said Execution.

Matthew Kirtleton School-Master to Mr. *Hall* was likewise upon another question adjudged guilty by this House of like contempt and abusing of this House, in Confederacy and practice with the said *Smalley* in the intentions aforesaid.

Upon another question it was adjudged by the House, that the said *Smalley* be for his misdemeanor and contempt committed to the Prison of the Tower.

Upon the like question it was also adjudged by this House, that the said *Kirtleton* School-

Master, be also for his said lewd demeanor and contempt in abusing of this House committed to the Prison of the Tower.

Upon another question it was also resolved that the Serjeant of this House be commanded to bring the said *Edward Smalley* and the said *Matthew Kirtleton* School-Master to Mr. *Hall* into the House to Morrow next in the Forenoon to hear and receive their said Judgments accordingly.

And further that the matter wherein the said *Arthur Hall* Esq; is supposed to be touched either in the privy of the said matter of arrest, or in the abusing of the Committees of this House, shall be deferred to be further dealt in till to Morrow. *Vide* concerning this matter on Saturday the 10th day of this instant *March* ensuing.

On Thursday the 8th day of *March*, Five Bills of no great moment had each of them one reading; of which the last being the Bill for maintenance of the Colledges in the Universities, and of *Eaton* and *Winchester*, was read the third time and passed with two Provisoos added.

Mr. Serjeant *Lovelace*, Mr. *Telwerton*, Mr. *Boyer*, Mr. *Layton*, and Mr. *Robert Bowes*, were sent to the Lords to confer presently touching the amendments in the Bill of fraudulent Conveyances made by the late Rebels in the North.

Two Bills also had each of them one reading; of which the first being the Bill against buying and selling of rooms and places in Colledges and Schools, and the second for maintenance of Colledges in the Universities, and of *Eaton* and *Winchester*, had each of them their third reading and passed the House, and were sent up to the Lords with two others by Secretary *Smith* and others.

The new Bill for High-ways was read the first time and committed to certain of the House to be presently amended.

The Bill for certain Authority to be given to the Justices of the Queens Majesties Forests, Chaces, Parks and Warrens, was read the first time. *Vide de ista materia in fine hujus diei.*

Mr. Doctor *Barkley* and Mr. *Powle* did bring from the Lords a Bill entitled an Act for the Lord Viscount *Hayward* of *Bindon*, and *Henry Hayward* Esquire, and *Francis* his Wife, with commendation for expedition.

Two Bills had each of them one reading; of which the first being the Bill against abuses of Licence for transportation of prohibited Wares was read the first time.

Mr. Doctor *Vaughan* and Mr. Doctor *Tale* brought from the Lords the Bill for setting the Poor on work and for avoiding of Idleness, with certain amendments and a Proviso.

Mr. Treasurer, one of the Committees in the Lady *Wainman's* Cause, reported that both the Parties have submitted themselves to the Arbitrement of the Lord Treasurer, the Lord Chamberlain, the Earl of *Leicester*, Mr. Treasurer, Mr. Comptroller, Mr. Chancellor of the Dutchy, and Mr. Captain of the Guard, or the most part of them

them to be made within one Year next after the Session of this present Session of Parliament, for the performance and accomplishment of the same Arbitrement.

A Proviso with some Amendments was offered to the Bill for reformation of Inholders, common Cooks and Tavern Keepers, and being twice read after the Question was upon the Division of the House, by the advantage of the number of forty persons, Ordered to be ingrossed and added to the Bill, and then afterwards upon another Question and like Division of the House, the Bill with the Proviso was dashed with the difference of twenty eight persons.

Post Meridiem.

In the Afternoon the Master of the Rolls, and Mr Serjeant *Barham* did bring from the Lords a Bill for the appointing of Wharfs and Keys for the unlading and discharging of Merchandizes, and withal a Message from them that some of this House may be appointed to have Conference with some such of their Lordships as shall be thought meet touching such private Bills in both Houses, as upon their Conference together shall be thought fittest to be Examined: whereupon it was Ordered that twelve of this House shall be appointed for that purpose, viz. Mr Treasurer, Mr Captain of the Guard, Mr *Wilson* Master of the Requests, Sir *Henry Ratcliffe*, Sir *Rowland Hayward*, Sir *Thomas Scott*, Sir *John Thynne*, Sir *Henry Wallope*, Sir *George Penraddock*, Mr *Popham*, Mr *Sampoole*, and Mr *Telverton*.

The Bill concerning Authority given to the Justices of the Queens Majesties Forests, Chaces and Parks, was read the second time and committed this day afterwards.

The two Bills for Denizens, and the Bill for Presentations by Lapse being amended, were sent up to the Lords by Mr Treasurer and others.

Mr Serjeant *Barham* and Mr Doctor *Vaughan* brought word from the Lords, that their Lordships do require that the Committees of this House may confer with them to Morrow in the Morning before eight of the Clock in the Parliament Chamber.

Mr Comptroller Mr Chancellor of the Exchequer, Mr Captain of the Guard, Sir *Henry Gates*, Sir *Henry Ratcliffe*, Sir *Thomas Barrington*, Sir *Nicolas Arnold*, Sir *Henry Knivett*, Mr Recorder of London, Mr *Sampoole*, Mr *Stanhope*, Mr *Crooke*, Mr *Snagg*, Mr *John Vaughan*, Mr Serjeant *Jeffries*, Mr Serjeant *Lovelace*, Mr *Edward Horsey*, Mr *Robert Wroth*, Mr *Colby*, Mr *Topclyffe*, Mr *Bowyer*, Mr *John St John*, Mr *Dawney*, Mr *Robert Colsbill*, Mr *Digbie*, and Mr *Birkbed*, were appointed in Committee for the Bill concerning certain Authority given to the Justices of the Queens Majesties Forests, Chaces, Parks and Warrens.

Nota, That this Bill having been sent down from the Lords to the House of Commons on

Wednesday the 7th day of this instant *March* foregoing, should without all question never have been refer'd to Committees upon the second reading this instant *Thursday*, except the said House of Commons had taken such just exceptions at the same, as they afterwards made known to a Committee of the Lords, and by reason of which finally the same was stopped from further passing. The further carriage and proceeding of which business, being wholly omitted in the Original Journal-Book of the House of Commons through the great negligence of *Fulk Onslow* Esq; at this time Clerk of the same, I have thought good to supply it out of a written Memorial or Copy thereof I had by me; because it may appear upon what just grounds and solid reasons the Members of the said House did refuse to pass the said Bill: and although it doth not certainly appear whether the said Proceedings in the said Bill between the Committees of either House were this day or no, yet I have referred it thereunto as the most probable and likely time, in respect that there is no further mention made of this Bill or business in either of the Original Journal-Books of the Upper House or House of Commons, upon any ensuing day during this present Session of Parliament. These things being thus premised the foresaid Memorial or written Discourse of this business doth now ensue to be inserted.

The Committees before-named, having upon deliberate consideration of the parts, and of the scope of the said Bill (touching Authority to be given to the Justices of the Queens Majesties Forests, &c. found the same not convenient to proceed, did nevertheless out of their respect unto the Lords from whom the Bill had been sent down, desire first to satisfie them before they utterly refused and dashed the said Bill; and did thereupon send unto their Lordships (who as it appeareth by the Original Journal-Book of the Upper House did this Afternoon sit) to offer them Conference, which they accordingly accepted: and thereupon there did assemble in a place appointed as Commissioners (or rather as Committees) for the Lords the Earl of *Suffex*, the Earl of *Rutland*, the Earl of *Leicester*, the Lord *Grey of Wilton*, and the Lord *Hunsdon*, having for their assistance standing by, the two Chief Justices and the Queens Attorney General; upon these the foresaid Committees of the House of Commons by Order of the same House gave their attendance, and by Sir *Walter Mildmay* K^t, Chancellor of the Exchequer, the second of the said Committees, in the name and by consent of the rest, said to the Lords in effect as followeth, viz.

That whereas a Bill touching the enlargement of the Justices of Forest-Authority had passed from their Lordships, and was sent to the House of Commons, the same had received there two readings, and upon the second reading was greatly impugned by many Arguments made against

against it; nevertheless the respect they had to their Lordships moved them to stay any further proceeding therein to the hazard of the Bill, until by some Conference with their Lordships the House in such things as were objected, might be satisfied. To that end he said, the House of Commons had sent them to attend upon their Lordships, and so entering into the matter said, That of many things spoken to the hindrance of the Bill they would trouble their Lordships but with some few, such as they had noted to have been of most value; by which he said their Lordships should find that the House of Commons did take the Bill to be unnecessary chargeable, dangerous, obscure.

For the first, that whereas in the preamble of the Bill it was pretended that one principal cause of this Act was, that the Justices of the Forests having no Authority to sit but within the several Forests, which to execute in their own persons could not be done through the distances of the Countries, and through the great charges that would follow in expences, if men of their calling should be driven to travel once every third year to keep their sittings in so many several places, by means whereof the Justice Seats were greatly delayed, and seldom holden, whereby the Offenders either by general Pardons coming between, or by the Death of the Parties did escape unpunished: to that he said all these defects were sufficiently holpen by Laws, heretofore provided. In the time of King *Henry* the Eighth, it was Enacted, that both the Justices of the Forests on this side *Trent*, and the Justices of the Forests beyond *Trent*, might make in every Forest a Deputy, that should have in all things like Authority to themselves; and therefore seeing they had, and usually had made Deputies men of less degree than they are, and most commonly inhabiting the Countries where the Forests do lie, there was no necessity that the Justices in their own Persons should ride, but those his Substitutes might very well perform the service with a small charge: and so there appeared no cause for that respect to make this Law, for it might be supplied otherwise sufficiently.

For the second, he said that whereas by this new Law, the Justice should have power to open the Swainmote Books at his pleasure, and to convene before him the Offenders at such time and place as he thought good, the same must needs prove a very chargeable matter to the Subjects; for men being compellable only to appear and answer in the County where the Forest lyeth, and where for the most part they abide, and there to receive their Trial: if now they shall be driven to appear and answer in any place, and at any time where and when the Justices shall appoint them, it may easily be seen how far greater charge this will breed to the Subject both in travel, expence, and loss of time, than heretofore hath been used; chargeable besides it would be to such as should happen to be impannelled upon Juries for trial of offences, if they should be driven

to come out of the Forests, to appear before the Justice in any place which he shall assign, contrary to the antient Laws heretofore Ordained for such causes.

For the third, he said that if the Justice sending for the Swainmote Books, and opening them should proceed to the punishment of the Offenders according to such Presentments as he should find there, that might prove very dangerous to the Subject, and especially to such as dwell within or near any Forests; for those Presentments being made by the Oath of the Keepers, do as often proceed upon suspicion and upon malice, as upon any good or sufficient ground; and then if they be so peremptory to the Offenders, as some men think they are, or if the tryal be not very indifferent which taken out of the Country may be doubted, it is easily seen how perilous that will be to the Subject: for either the party shall be forced to submit himself to the discretion of the Justice, or else abide such Tryal as he shall not be able to endure.

Besides, whereas the Queen most graciously doth use to grant often-times general Pardons by Act of Parliament, whereby the Subjects of the Land are discharged of far greater offences than these; such as might happen to offend this way, or to be brought in Question for the same, should never be partakers of that grace, which all other Subjects do enjoy, but by yearly vexation be in danger of trouble and charge almost without hope to be released, although the offences be (as often-times they are) very small and slenderly proved: whereas now the Justice cannot by the Law keep his Seat, but once in three years; and if a Pardon come in the mean time all those offences are discharged.

Touching the last and fourth point, he said in making of Laws, one principal and special care is to be taken, that nothing pass in dark words, but that it may be clear and evidence to the understanding of the Makers, thereby to know to what they bind themselves and their Posterity; the contrary whereof was to be doubted in this Bill as it was penned, wherein Authority should be given to the Justices of the Forests to proceed in the Execution of punishment and other matters, not only according to the Laws but also according to the Customs, Usages, and Ordinances of the Forests; which latter words are very obscure, and therefore dangerous to pass in that form, for what the Laws of the Forests are, such as be established by Authority of Parliament, are evident and open to all men, and every Subject is bound to take knowledge of them, but what the Customs, Usages and Ordinances of the Forest be, and how far these words may extend is very doubtful and uncertain, the same being only known to Officers and Ministers of Forests, and are so far from the common knowledge of other men, as few or none that are Learned in the Laws of the Realm, have any understanding in them: so as if any Subject of the Land should be Impeached for an offence committed in the Forests,

Forests, he shall not be able to receive advice by Council in the Law for his reasonable defence ; and therefore under those general words to bind the Subject to those things that neither they do nor may easily get knowledge of: The House of Commons do think it a matter very inconvenient, and do also think that the Forest Laws already established by Parliament, are strict enough, and being put in due Execution may suffice without any further addition to increase the burthen of them.

To these Objections the Earl of *Suffex* a wise man of good understanding in Forest matters, being Justice of the Forests on this side *Trent*, said for Answer in effect as followeth:

To the first confessing that by Authority of Parliament the Justices of the Forests might appoint their Deputies, said, nevertheless that those also could not hold their sittings without great charge, and their doings shall not be so obeyed, nor esteemed as the Acts and Proceedings of the Justices themselves ; and therefore thought this Law necessary.

To the second, third and fourth, he said that there was no meaning by the Lords that past the Bill to bring upon the Subjects any of those inconveniences that were noted by the House of Commons ; howsoever the Bill might be penned contrary to their intentions, and yet he thought that the words were misconceived and drawn to a harder sense than there was cause. Nevertheless he said the Lords could be well contented that the House of Commons should reform such things in the Bill, touching those points, as they should find convenient, so as the same were done with good consideration, and upon sufficient cause, whereof they doubted not.

This being the substance of the Conference, it was the next day reported by one of the Committees to the House of Commons : Whereupon the Speaker moved the said House to appoint some to amend those things which the Lords had yielded to have reformed, that so the Bill might pass : but the whole House (a very few excepted) said they would hear no more of it, and so it stayed without any further proceeding, because it appeared the House of Commons did not think their Objections sufficiently answered by the Lords.

This foregoing proceeding of the two Houses in the above-mentioned Bill, touching Authority to be given to the Justices of her Majesties Forests, &c. being transcribed out of the Copy thereof I had by me ; now follows the next days Passages out of the Original Journal-Book of the House of Commons.

On *Friday* the 9th day of *March*, the Bill for restitution in Blood of the Lord *Norris* was twice read.

The Bill for re-edifying of the Town of *Cringleford* near unto the City of *Norwich*, was read the third time and passed the House, and was sent up to the Lords with the Bill for the Hospi-

tal in the Town of *Leicester* by Mr Treasurer and others.

The Bill touching *Suffolk* Cloths and *Essex* Cloths, was read the first time and committed unto Mr Secretary *Smith*, Mr Lieutenant of the Tower, Sir *Nicholas Arnold*, and others to have Conference touching the double searching of Cloths generally, now presently in the Committee-Chamber.

The Bill for Confirmation of the Subsidy of the Clergy was read the second time ; but no mention is made that it was either Ordered to be ingrossed or referred to Committees, because it had been formerly sent from the Lords.

Mr Chancellor of the Exchequer touching the Petition for reformation of Discipline in the Church, did bring word from the Lords that their Lordships having moved the Queens Majesty touching the said Petition, her Highness answered their Lordships that her Majesty before the Parliament had a care to provide in that case of her own disposition ; and at the beginning of this Session her Highness had Conference therein with some of the Bishops, and gave them in Charge to see due reformation thereof, wherein as her Majesty thinketh, they will have good consideration according unto her pleasure and express Commandment in that behalf : So did her Highness most graciously and honourably declare further, that if the said Bishops should neglect or omit their Duties therein, then her Majesty by her Supream Power and Authority over the Church of *England*, would speedily see such good redress therein as might satisfy the expectation of her loving Subjects to their good contentation, which Message and Report was most thankfully and joyfully received by the whole House with one accord. And immediately thereupon *John Crook* Esquire, one of the Knights for the County of *Buckingham*, took occasion in most humble and dutiful wise to make a Motion unto the House for another Petition to be moved to the Lords for perswading of her Majesty for Marriage. *Vide* concerning Church-Discipline on *Wednesday* the 29th day of *February* preceeding, and on *Friday* the second day of this instant *March* foregoing, and touching the Queens Marriage on *Monday* the 12th day of the same Month of *March* ensuing.

The new Bill also for the Lady *Wainman* was read the first time.

Post Meridiem.

In the Afternoon the Bill for the Lord Viscount *Howard of Bindon* was twice read.

Six other Bills of no great moment had each of them one reading ; of which one being the Bill for restitution in Blood of *Henry Lord Norris*, another for Confirmation of the Subsidy granted by the Clergy, and a third for Preservation of Pheasants and Partridges, were each of them read the third time and passed the House.

On *Saturday* the 10th day of *March*, Two Bills had each of them their third reading, and passed the House; of which the first was for representing of Murders and Felonies in the Counties of *Northumberland* and *Cumberland*.

Five Bills were sent up to the Lords from the House of Commons; of which one was the Bill for setting the Poor on work and for avoiding of Idleness, and another for preservation of Pheasants and Partridges.

The Bill against excess in Apparel was read the second time, and committed unto all the Privy-Council being of this House, Mr Captain of the Guard, Mr Treasurer of the Chamber, the Masters of Requests, and others who were appointed to meet at the Exchequer-Chamber at two of the Clock in the Afternoon.

Mr Doctor *Barkley* and Mr *Powle* did bring from the Lords a Bill for the Hospital of *S^t Crofs*, with special commendation for expediting thereof, and Declaration of the assent of the Parties given in that behalf before their Lordships.

Two Bills of no great moment had each of them one reading; of which the first being the Bill for the Lady *Wainman*, was read the third time and passed the House.

Mr Serjeant *Barham* and Mr Doctor *Vaughan* brought from the Lords two Bills with Amendments and Provisoës, which before passed the House, viz. the Bill for repairing and amending of the Bridges and High-ways near *Oxford*, and the Bill for maintenance of Colledges in the Universities, and of *Eaton* and *Winchester*.

The Bill against *Arthur Hall* Esquire, *Edward Smalley* and *Matthew Kirtleton* his Servant, was read the first time.

Edward Smalley Servant unto *Arthur Hall* Esq; appearing in this House this day at the Bar, it was pronounced unto him by Mr Speaker in the name and by the appointment and order of this House, for Execution of the former Judgment of this House awarded against him, That he the said *Edward Smalley* shall be forthwith committed Prisoner from this House to the Tower of *London*, and there remain for one whole Month next ensuing from this present day; and further after the same Month expired, until such time as good and sufficient assurance shall be had and made for payment of 100^l of good and lawful money of *England*, to be paid unto *William Hewet* Administrator of the goods, Chattels, and Debts of *Melchisedech Malory* Gent. deceased upon the first day of the next Term, according to the former Order in that behalf by this House made and set down, and also forty Shillings for the Serjeants Fees; the notice of which assurance for the true payment of the said hundred pounds in form aforesaid, to be certified unto Mr Lieutenant of the Tower by Mr Recorder of *London* before any delivery or setting at liberty of the said *Edward Smalley* to be in any wise had, or made at any time after the Expiration of the said Month, as is aforesaid; and that he shall not be delivered

out of Prison before such notice certified, whether the same be before the said first day of the next Term, or after. *Vide* concerning this matter on *Thursday* the 16th day, *Monday* the 20th day, *Wednesday* the 22th day, *Monday* the 27th day, and on *Tuesday* the 28th day of *February* preceeding; as also on *Wednesday* the 7th day of this instant *March* foregoing.

Post Meridiem.

In the Afternoon the Bill for Butlerage and Prisage of Wines was read the second time, and upon the Question and Division of the House dashed.

Three Bills were sent up to the Lords from the House of Commons; of which one was the Bill for taking away the benefit of Clergy from persons Convict of Rape and Burglary.

Mr Doctor *Vaughan* and Mr Doctor *Barkley* brought word from the Lords, that their Lordships do desire to have Conference with some of this House presently.

The Bill for restitution in Blood of the Heirs of the Lord *Stonrton* was twice read; which said Bill was doubtless at this time but once read, or at least it stood but for the first reading, and was entred through negligence, for it had its second reading on *Monday* the 12th day of this instant *March*, and was thereupon committed, and had lastly its third reading upon *Tuesday* the 13th day of the same Month and so passed the House; with which also agreeth a certain written Memorial or Copy of the Carriage of this business between the two Houses, in respect that it occasioned much dispute betwixt them, as see more at large on *Wednesday* the 14th day of the foresaid *March* ensuing.

Two Bills lastly of no great moment had each of them one reading; of which the second being the Bill for the Hospital of *S^t Croffe* was read three times and passed the House.

On *Monday* the 12th day of *March*, Two Bills of no great moment had each of them their third reading; of which the first being the Bill for the Lord Viscount *Bindon*, upon the Question passed the House.

Mr. Captain of the Guard declaring her Majesties but what should here follow is wholly omitted through the great negligence of *Fulk Onslow* Esquire, at this time Clerk of the House of Commons, in the Original Journal-Book thereof, although there were one whole blank page left under the foresaid words to have inserted such matter as ought here to have followed; of which the want will be the less, in respect that I had very happily by me a written draught or memorial of the very business here omitted, as I have had in many other places in the transcribing of the Journals of her Majesties Reign for this business, was no other than a Declaration of her Majesties Goodness and Clemency in restoring this day unto the House, and to his own Liberty, *Peter Wentworth* Esquire, who had been

Committed

Committed to Prison on *Thursday* the 9th day of *February* in the beginning of this Session of Parliament, which said Declaration or Discourse doth now in its due place follow, the first man that spake being *Christopher Hatton* Esquire, Captain of the Guard.

Mr. Captain of the Guard did first shortly declare and make report unto the House, that whereas a Member of the same had the first day of this Session, which was the 8th day of *February* last past, uttered in a prepared Speech divers offensive matters touching her Majesty, and had for the same been sent Prisoner to the Tower by the House, yet that her Majesty was now graciously pleased to remit her just occasioned displeasure for the said offence, and to refer the enlargement of the party to the House, which was most thankfully accepted by the same upon the said report.

And thereupon Sir *Walter Mildmay* Knight, Chancellor of the Exchequer, spake as followeth:

That by this whole Action and by her Majesties dealing in this cause we had just occasion to consider,

These three things.

1. Her Majesties good and clement nature.
2. Her respect to us.
3. And our Duty towards her.

Touching the first, that Sovereign Princes placed by God, are to be honoured with all humble and dutiful reverence, both in word and deed, especially if they be good and vertuous, such as our most gracious Sovereign is, a Princess that hath governed this Realm so many years, so quietly, so justly, and providently; which being true, as no man can deny, then see how great an offence this wasto reprove so good and gracious a Queen so unjustly, and that to be done not by any common person abroad, but by a Member of this House; and not in any private or secret place, but openly in this most honourable Assembly of the Parliament, being the Highest Court and Council of the Realm. And thereby see also her most gracious and good nature, that so mercifully and so easily can remit so great an offence, a thing rarely found in Princes of so great Estate, that use commonly to think themselves touched in honour if they should pass over smaller injuries so lightly: the greater is her Majesties Commendation and the more are we bound to thank God for her.

Secondly, We may see what gracious respect her Majesty had to us, that notwithstanding the just cause that was given her to punish severely so great an offence; yet the favour that she had conceived towards us, proceeding from the just tryal of our dutiful affections towards her, had so qualified her displeasure as she was contented for our sakes to pardon the whole, and that so freely as she would not at any time think of it again (for those were her words) a marvellous grace towards us and never hereafter on our

parts to be forgotten; the rather for that the same proceeded meerly from her self, thereby preventing the Suit which we in all humbleness might have made unto her.

Thirdly, that for so gracious a dealing it was our bounden Duties to yield unto her Majesty our most humble and hearty thanks, and to beseech Almighty God to enlarge her days as the only stay of our felicity; and not only so but to learn also by this Example how to behave ourselves hereafter; and not under the pretence of liberty to forget our bounden duty to so gracious a Queen: true it is, that nothing can be well concluded in a Council where there is not allowed in debating of Causes brought in deliberation, Liberty and Freedom of Speech; otherwise if in Consultation men be either interrupted or terrified so as they cannot, nor dare not speak their Opinions freely, like as that Council cannot but be reputed for a servile Council; even so all the Proceedings therein shall be rather to satisfy the wills of a few, than to determine that which shall be just and reasonable. But herein we may not forget to put a difference between liberty of Speech, and licentious Speech; for by the one men deliver their Opinions freely, and with this caution, that all be spoken pertinently, modestly, reverently and discreetly; the other contrariwise uttereth all impertinently, rashly, arrogantly and irreverently, without respect of person, time, or place: and though freedom of Speech hath always been used in this great Council of Parliament, and is a thing most necessary to be preserved amongst us; yet the same was never nor ought to be extended so far, as though a man in this House may speak what and of whom he list. The contrary whereof both in our own days, and in the days of our Predecessors, by the punishment of such inconsiderate and disorderly Speakers, hath appeared. And so to return, Let this serve us for an Example to beware that we offend not in the like hereafter, lest that in forgetting our duties so far we may give just cause to our gracious Sovereign to think that this her Clemency hath given occasion of further boldness: and thereby so much grieve and provoke her, as contrary to her most gracious and mild consideration, she be constrained to change her natural Clemency into necessary and just severity; a thing that he trusted should never happen amongst wise and dutiful men, such as the Members of this House are thought always to be.

Between which Speech and the restoring of the said Mr *Wentworth* unto the House (although it be not mentioned in the before-cited written Memorial of the said Speech I had by me) as appeareth plainly by the Original Journal-Book of the House of Commons, these ensuing Passages intervened in the said House as followeth, *viz.*

Mr Treasurer, Mr *John Thynne*, Sir *Nicholas Arnold*, Sir *Henry Gate*, Mr *Marsh* and Mr *Cromwell*, were sent to the Lords for Conference pre-

sently touching the reforming of some amendments of this House in the Bill, which came from the Lords for taking away the benefit of the Clergy from persons Convict of Rape and Burglary.

Mr Doctor *Vaughan* and Mr Doctor *Barkley* did bring from the Lords the Bill for preservation of Pheasants and Partridges.

All the Privy-Council being of this House, the Lord *Russell*, Mr Captain of the Guard, the Masters of Requests, Mr Treasurer of the Chamber, the Master of the Wardrobe, the Master of the Jewel-House, Sir *Henry Knivett*, Sir *Thomas Scott*, Sir *John Thynne*, Sir *William Winter*, Mr *Crooke*, Mr *Popham*, Mr *Yelverton*, Mr *Norton*, Mr *Sampoole*, Mr *Alford*, and Mr *Skinner*, were appointed to meet this Afternoon at two of the Clock in the Exchequer Chamber, touching Conference for the manner of Petition to be made unto the Queens Majesty touching Marriage. *Vide* on Friday the 9th day of this instant *March* foregoing, and on Wednesday, *March* the 14th in the Afternoon ensuing.

These intervening Passages being thus transcribed out of the Original Journal-Book of the House of Commons, now follows the manner of the restoring of the aforesaid *Peter Wentworth* Esquire, being partly transcribed out of the aforesaid Original Journal-Book, and partly out of the before-mentioned written Memorial or Copy thereof in manner and form ensuing.

Mr *Peter Wentworth* was brought by the Sergeant at Arms that attended the House, to the Bar within the same, and after some Declaration made unto him by Mr Speaker in the name of the whole House both of his own great fault and offence, and also of her Majesties great and bountiful mercy shewed unto him, and after his humble Submission upon his Knees acknowledging his fault, and craving her Majesties Pardon and Favour, he was received again into the House, and restored to his place to the great contentment of all that were present.

This business of Mr *Wentworth* being thus at large set down, now follows a great part of the residue of this dayes Passages out of the Original Journal-Book of the House of Commons it self.

The Bill for the Lord *Stourton* was read the third time, in setting down of which Bill it seemeth the time of the reading is erroneously entred; for this was doubtless the second reading, and that the third as appeareth plainly by the Original Journal-Book it self, was not until Tuesday the 13th day of this instant *March* ensuing, when the Bill also passed, and it is the rather probable that this was but the second reading as is also set down in a written Memorial of this business I had by me, in respect that it was upon this reading spoken unto, and referred to Committees: but as it should seem before the said Bill was agitated in the House, or referred to Committees, this business intervened which is Entred in the

Original Journal-Book of the House of Commons in manner and form following.

Mr Doctor *Lewes* and Mr Doctor *Tale* did bring from the Lords the Bill touching taking away the benefit of the Clergy from Persons Convict of Rape and Burglary to be amended in the former addition of amendment thereof by this House; whereupon the same being presently amended, was together with the Bill of Addition to the former Statutes for amending and repairing of High-ways, the Bill with the Amendments and Proviso for the repairing of the Bridges and High-ways near unto the City of *Oxford*, the Bill for the Hospital of St *Cross* near *Winchester*, and the Bill for the Lord Viscount *Howard* of *Bindon*, sent up to the Lords by Mr Secretary *Smith* and others, with the Bill also for maintenance of the Universities, and of the Colledges of *Eaton* and *Winchester* to be reformed in the Amendments of their Lordships in the same Bill.

Which business being over-passed, as it is inserted out of the Original Journal-Book of the House of Commons, now follows the dispute in the House upon the foresaid second reading of the Lord *Stourton's* Bill, which is supplied out of a written Memorial or Copy of that business I had by me with very little alteration or addition.

It was first alledged in the House of Commons against the further proceeding of the Bill for the restitution in Blood of the Lord *Stourton* (whose Father was Attainted of Murther, and thereby his Blood corrupted) by some in the said House, that the said party who now sued to be restored in Blood, had before given cause for men to think that he would not hereafter be worthy of so much favour, and by some other, that there wanted in the Bill sufficient provision for such as had been Purchasers from his Father, Grandfather, and other his Ancestors.

To the first Objection it was said in the House, That seeing her Majesty had so graciously yielded to his Petition, there was no doubt but she was well satisfied in all such things as might touch him, and therefore no cause that this House should dislike her gracious Favours to be extended to any of her Subjects in such Cases; but rather to hope that he being a young Nobleman would prove a good Servant to her Majesty and the Realm, as divers of his Ancestors had done.

The second Objection was thought worthy of consideration, That if the saving, which was already in the Bill, were not sufficient, there might be other provision added.

This dispute concerning the foresaid Bill being thus transcribed out of the foresaid written Memorial or Copy thereof I had by me, now follows the Committees names who were appointed thereupon out of the Original Journal-Book of the House of Commons, being as followeth.

Mr Chancellor of the Exchequer, the Master of the Wardrobe, Mr Recorder of *London*, Mr *Norton*, Mr *Sampoole*, Mr *Dalton*, Mr *Savile*, Mr *Marsh*,

Marsh, Mr Yelverton, Mr Popham, Mr Stanhope, Mr Colbie, and Mr Broughton.

The Bill against abusing of Licences to transport forbidden Wares, was delivered to Mr Comptroller.

Post Meridiem.

In the Afternoon five Bills of no great moment had each of them one reading; of which the second being the Bill touching Inquisitions and Offices to be taken within the Counties Pallatine, and the third being the Bill touching Wharfs and Keyes, were each of them read the second time; but no mention is made that they were either Ordered to be ingrossed or referred to Committees, because they had been formerly sent from the Lords.

The former Committees for the Bill of Apparel (who were appointed on *Saturday* the 10th day of this instant *March* foregoing) were sent up to the Lords for Conference as well in that Bill, as in the Bill for preservation of Pheasants and Partridges.

Thus far out of the Original Journal-Book of the House of Commons; that which follows touching the proceeding of the Committees in the Bill for restitution in Blood of the Heirs of the Lord *Stourton* is inserted out of that large Memorial or written Discourse of the whole Carriage of that business I had by me, being *prout sequitur*.

The Committees reading deliberately the Bill and the whole Contents thereof, partly upon causes alledged in the House, and partly upon causes remembred among themselves, took the saving in the Bill not to be sufficient, but added a Proviso unto it, the special point whereof was to bar the Lord *Stourton* that he should not take advantage of any error that might happen to be in any Fine, Recovery, or other Conveyance, passed by his Father or his Ancestors, but he should be in that respect as though his Blood were not restored; in which State he can bring no Writ of Error. The occasion of which Proviso grew chiefly, for that the Lords had within few days before dashed a Bill that passed in the House of Commons for the helping of such Errors; whereupon they thought it dangerous to give that scope to any man that should be restored in Blood: and therefore they added such a Proviso both to this Bill and to another Bill of the like tenor that did concern one *Anthony Mayny* of *Kent* Esquire.

During the time of this Conference of the Committees the Lord *Stourton* being informed how his Case was Ordered in the House of Commons, came to the place where the Committees sat, and desired that himself and his Council might be heard, which they allowed him of their own discretion without the privity of the House: his Council laboured to shew to the Committees, that the saving already in the Bill was sufficient, so as they then needed no addition of any other

Proviso: but being answered to all that he said he could not much reply, but seemed to be satisfied.

After which the Committees having agreed upon a Proviso repaired unto the House and made a report thereof; but the Lord *Stourton* nothing contented therewithal, procured immediately a Message from the Lords to the House of Commons in his favour; which Message being more fully set down in the Original Journal-Book of the House of Commons than in that written Memorial or Discourse of this said cause I had by me (out of which the foregoing proceedings are transcribed) I have thought it better to supply it out of the same in manner and form following, *viz.*

Mr Serjeant *Barham* and Mr Doctor *Vaughan* did bring from the Lords four Bills, *viz.* for restitution in Blood of *Anthony Mayney* Esquire, the Bill for reformation of abuses in Goldsmiths, the Bill to give Costs and Charges to the Defendant that shall be wrongfully vexed by slanderous and untrue Suits, and the Bill for relief of Vicars, with a Message also from their Lordships that the Committees of this House appointed for Conference with their Lordships in the Bill of Apparel, may also have Commission from this House to shew unto their Lordships the reasons which did move this House to deal so hardly in the Bill, which being signed by her Majesty passed their Lordships for the restitution in Blood of the Lord *Stourton* being a Nobleman, and seeking but the same course and form of restitution which other Noblemen in like cases have done, and had heretofore; which Message being opened unto the House was not well liked of, but thought perillous and prejudicial to the Liberties of this House: Whereupon it was resolved by this House that no such reason should be rendred, nor any of this House to be appointed unto any such Commission. *Vide plus* concerning this business on *Wednesday* the 14th day of this instant *March* ensuing.

Two Bills lastly had each of them their first reading; of which the first was the Bill for restitution in Blood of *Anthony Mayney* Esq;

On *Tuesday* the 13th day of *March*, the Bill for restitution in Blood of *Anthony Mayney* Esq; was twice read, and a Proviso to the same Bill was read three times.

Mr Solicitor and Mr *Powle* did bring from the Lords a Bill for the annexing of *Gate-side* to *New-Castle*, and withal a Message from their Lordships to desire Conference with such of this House, as this House shall appoint touching Conference with their Lordships for the Bill of the Lord *Stourton*, which their Lordships do hear hath had offers of Provisoes or some other thing to the stay of the proceeding of the said Bill: Whereupon the said Mr Solicitor and Mr *Powle* being called into this House received Answer, that by the resolution of this House according to the antient Liberties and Priviledges of this House, Conference is to be required by that

Court, which at the time of the Conference demanded shall be possessed of the Bill, and not of any other Court: And further that this House being now possessed of the Bill, and minding to add some amendment to the said Bill, will (if they see cause and think meet) pray Conference therein with their Lordships themselves, and else not. *Vide* concerning this matter on *Wednesday* the 14th day of this instant *March* ensuing.

Two Bills of no great moment had each of them one reading; of which the first being being the Bill against the excess of Apparel, was read the second time and Ordered to be ingrossed.

Mr Attorney General and Mr Solicitor did bring from the Lords the Bill of the Queens Majesties most gracious general and free Pardon.

Mr Treasurer, Mr. Chancellor of the Exchequer, Mr. Secretary *Walsingham*, Mr. Captain of the Guards, Sir *Nicholas Arnold*, Sir *Henry Gate*, Mr. *Snagg*, Mr. *Grimsditch*, and divers others were appointed to confer in the Bill touching Wharfs and Keyes in the Chequer-Chamber immediately after Dinner this present day.

Mr. Serjeant *Barham* and Mr. *Powle* did bring word from the Lords, that their Lordships did desire to have the former Committees in the Bill for Leather, to confer with their Lordships presently touching the same Bill, whereof they specially pray that Mr. *Marsh* may be one: whereupon the said Committees were sent presently, and the Bill of restitution in Blood of *Anthony Mayney* Esquire, was sent up to the Lords by Mr. Treasurer and the said others.

The Bill against the abuses of Goldsmiths was read the second time, but no mention is made that it was either Ordered to be ingrossed or referred to Committees; because it had been formerly sent from the Lords on the day immediately foregoing.

Mr. Doctor *Barkley* and Mr. *Powle* did bring from the Lords the Bill touching the Confirmation of an Arbitrement to be made between *Richard Hudleston* Esquire, and Dame *Isabell Wainman* on the one part, and *Francis Wainman* Gentleman on the other part.

Mr. Treasurer, Mr. Secretary *Smith*, Mr. Chancellor of the Exchequer, Mr. Treasurer of the Chamber, the Master of the Jewel-House, Sir *Rowland Hayward*, and others were appointed to meet this Afternoon at three of the Clock, and to hear the Learned Council of the Goldsmiths.

Mr. Doctor *Vaughan* and Mr. Doctor *Tale* did bring from the Lords the Bill of Jeofails with some Amendments.

The Bill for restitution in Blood of the Lord *Stourton*, was read the third time; and two Provisoos twice read and passed the House. *Vide* concerning this business of the Lord *Stourton* in *fine diei sequentis*.

The Bill also against excess in Apparel was

read the third time and passed the House.

Post Meridiem.

In the Afternoon the Bill for the Lord *Stourton*, and the Bill against excess in Apparel, were sent up to the Lords by Mr. Comptroller and others. *Vide* concerning the business of the Lord *Stourton* on *Wednesday* the 14th day of this instant *March* ensuing.

Four Bills also of no great moment had each of them one reading; of which the last being the Bill for relief of Vicars and Curates, was read the second time and committed unto Mr. *Sampoole*, Mr. *Cromwell*, Mr. *Savile*, Mr. *Boyer*, Mr. *St John* Mr. *Broughton*, and others, who were appointed to meet at this House to Morrow in the Morning at six of the Clock.

The Bill touching unjust and slanderous Suits, was read the second time; but no mention is made that it was either Ordered to be ingrossed or referred to Committees, because it had been sent from the Lords on *Monday* the 12th day of this instant *March* foregoing.

The Bill touching unjust and slanderous Suits, and the Bill for the annexing of the Town of *Gatefide* to *New-Castle*, were read the first time.

Mr Justice *Mounson* and Mr. Serjeant *Barham* did bring word from the Lords, that whereas their Lordships have made divers requests for Conference with some of this House touching the Bill for the Lord *Stourton*, and the Bill for Mr. *Mayney* their restitutions in Blood, and as yet have received no Answer thereof of this House at all; Their further desire now is, that a further Committee be appointed for this House to meet with their Lordships in the Parliament Chamber to Morrow next before eight of the Clock for that purpose: whereupon were chosen, after sundry Motions and Speeches,

All the Privy-Council being of this House, Mr. Captain of the Guard, and the former Committees (whose names see on *Monday* the 12th day of this instant *March* foregoing) and Mr. *Diggs*; whereunto were added also Mr. Treasurer of the Chamber, Mr. Lieutenant of the Tower, Sir *Henry Gate*, Sir *Henry Ratcliffe*, Sir *James Harrington*, Sir *Edward Bainton*, Mr. *Atkins*, Mr. *Birkenhead*, Mr. *Cromwell*, and Mr. *Alford*. *Vide* concerning this business on *Wednesday* the 14th day of this instant *March* ensuing.

On *Wednesday* the 14th day of *March* the Queens Majesties general and free Pardon was once read.

Sir *John Thynne*, Sir *Henry Knivett*, and Mr. *Topclyffe*, were added to the Bills yesterday last appointed. Which said former Committees with these now newly added were doubtless appointed to have Conference with a Committee of the Lords this Morning, touching their Proviso added unto the Bill for the restitution in Blood of the Heirs of the Lord *Stourton*, which had been sent down to the House of Commons from
the

the Lords on *Wednesday* the 7th day of this instant *March* foregoing: but the Issue of this Conference, through the great negligence of *Fulk Onslow* Esquire, at this time Clerk of the House of Commons, is wholly omitted in the Original Journal-Book of the same House; and therefore (in respect it is of very good use and moment for the Declaration and Justification of the Liberties of the said House) I have caused it to be inserted at large, out of that often before-mentioned written Memorial or Discourse I had by me of the whole proceedings of this business, in manner and form following.

The before-mentioned Committees (or the greater part of them between eight and nine of the Clock this Morning, as is very probable) repaired unto the Parliament Chamber, or Upper House Door, and there gave attendance, sending in word by the Usher of that House of their being there: The Lords after a great pause came forth at last into the outward Chamber, the number of them were many, and the persons of the principal Noblemen of that House, after they had taken their places at a long Table, and used some Conference amongst themselves, they called for those of the House of Commons, to whom the Lord Treasurer in the name of all the rest present and absent, said in effect as followeth:

THat the Lords of the Upper House could not but greatly dislike the dealing of the House of Commons in the Lord *Stourton's* Bill, especially for that they had passed the Bill with a Proviso annexed, notwithstanding their sundry Messages sent unto them in his favour: And lastly, one Message to have Conference with them for resolution of such doubts as were moved, wherein they took themselves greatly touched in honor, and thought that the House of Commons did not use that reverence towards them which they ought to do; the cause he said besides, was such as they saw no reason why the House of Commons should proceed in that Order; for the Bill being signed by her Majesty, he said, none might presume to alter or add any thing to it without the assent of her Majesty, which they for their parts durst not do, and for proof hereof he shewed the Committees sundry Provisoes in King *Henry* the Eighth's time annexed to the like Bills signed by the King; inferring thereby that none might pass otherwise. Moreover he said that by the opinion of the Judges which were in the Upper House, the saving already in the Bill was so sufficient that there needed not any addition of such Proviso as the House of Commons had annexed; and therefore required to know what reasons did lead them to proceed in this Order.

This and some large Speeches being uttered to this end, the Committees answered that their Commission was only to hear what their Lordships would say, they would return and make report to the House, and so attend again upon them with Answer.

When this was reported to the House of Commons, it moved them all greatly, and gave them occasion of many Arguments and Speeches, all generally milking this kind of dealing with them, thinking their Liberties much touched in three points: one, that they might not add or alter any Bill signed by the Queen; another that any Conference should be looked for, the Bill remaining with them, except themselves saw cause to require it; and the third to yield a reason why they passed the Bill in that sort. After all these things were sufficiently debated, an Answer was agreed on to be returned to the Lords by the same Committees, and they gave their attendance upon the same Lords in the former place, to whom was said in effect by Sir *Anthony Mildmay* Knight Chancellor of the Exchequer, one of the Committees in the name and by the consent of the rest.

That they had delivered to the House of Commons the sense of that which their Lordships had said unto them, which as they had conceived, did stand upon two parts: One the manner of their proceedings in this Case of the Lord *Stourton's*; and the other matter wherein they had proceeded.

To both which they had a Commission from the House to make unto their Lordships this Answer.

First that they were very sorry that their Lordships had conceived such an opinion of the House, as though they had forgotten their Duty to them, praying their Lordships to think that the House of Commons did not want consideration of the superiority of their Estates, in respect of their honourable calling, which they did acknowledge with all humbleness, protesting that they would yield unto their Lordships all dutiful reverence so far as the same were not prejudicial to the Liberties of their House, which behoveth them to leave to their Posterities in the same freedom they have received them; and touching this particular case the manner of their proceedings hath not been as they think, any ways undutiful or unseemly, for the Bill being sent from their Lordships to the House of Commons received there within little space two readings; and because upon the second reading, some Objections were made to lett the course of the Bill, the House thought fit to commit it, which doth shew that they had no disposition to over-throw the Bill, but to further it, both in respect of her Majesties Signatures, and that it came passed from their Lordships; and whether the Lord *Stourton* had cause or no to think himself favourably used in being heard of the Committees with his Learned Counsel, they referred to their Lordships Judgments. That after the Committees report of their doings, the House gave the Bill a third reading, and so passed the same in such sort as now their Lordships had; notwithstanding their sundry Messages to the contrary.

And lastly, notwithstanding their Message of Conference they said they could not otherwise have

have done, without breach of their Liberties; for they take the order of the Parliament to be, that when a Bill is passed in either House, that House wherein the Bill remaineth, may require Conference with the House that passed the Bill, if they think good, but not otherwise. And so this Bill passing from the Lords to the House of Commons, might if they had thought it convenient, have required a Conference, but not their Lordships of a Bill passed from themselves: and thus much for the manner of their Proceedings.

Touching the matter wherein they have proceeded, in that that they annexed a Proviso to this Bill, the same being her Signature, signed with her Majesties Hand, they thought they might lawfully do it without offence to her Majesty, taking her Signature to be only a recommendation of the Cause to both the Houses, without which they could not treat of any Bill of that nature; the House not being thereby concluded, but that they might alter or add any thing that should be thought meet either for her Majesty or for her Subjects, which Proviso they have added upon good deliberation, not hastily or inconsiderately, but upon great and sufficient reasons moving them, praying their Lordships so to conceive it: Nevertheless to declare those reasons in particular to their Lordships as they required in that part, the House desired their Lordships to bear with them, for that were to yield an account of their doings, and of things passed in their House, which they could not in any wise agree unto, being so prejudicial to their Liberties.

This Speech finished the Committees were willed by the Lords to retire to the lower end of the Chamber; and after some pause and consultation amongst the Lords, they called again the Committees, and to them was said by the Lord Treasurer, that the Lords had considered the Answer that the Committees had brought them from the House of Commons; and touching the first part thereof he said, that albeit through such information as was given them, they might have cause to conceive amiss of the House in the manner of their Proceedings, yet because themselves were the truest Reporters of their own actions, and the best Interpreters of their own meanings, the Lords did accept of their Answer, and rested well satisfied with the same.

But touching the other part he once again pressed the Committees to shew the reasons that moved the House to add that Proviso, which the Lords took to be superfluous, the Bill as he said containing in it already a saving that was sufficient for all Causes that might happen.

To that was said by one of the Committees that they humbly thanked their Lordships that it pleased them so well to accept of their Answer to the first part; but for the second which concerned the matter it self, and the reasons that moved the House, he said the Committees had no further Authority to deal, in having only Commission to deliver to their Lordships

the Answer which they received from this House.

Whereupon the Assembly brake, and the Lords returning to the Upper House; and the Committees to the House of Commons, where at their coming, one of them reported their whole Proceeding with the Lords, wherein the House was much satisfied, seeing that so great a storm was so well calmed, and the Liberties of the House so well preserved, which otherwise in time to come might have been prejudiced in those three points before remembred, which are indeed if they be well considered, of great weight and importance.

The Proceeding and Issue of this foresaid great Committee of both Houses, being thus transcribed out of that written Memorial thereof I had by me, now follows the last Passage in this business out of the Original Journal-Book of the House of Commons; by which it may be easily gathered, that the Committee of the Lords did not rest satisfied with the former Conference, but sent down yet another Message to the Commons House, although this Session of Parliament were now upon the Conclusion, to have had some further satisfaction therein: which Message is there Entred as followeth.

Mr Solicitor and Mr Doctor *Barkley* did come from the Lords to demand if there be any Bills ready to send to their Lordships, for that now their leisure well serveth them; and also they do desire to know, whether this House will make them a further Answer to the matter of the last Conference, or no. Whereupon after sundry Motions and Arguments it was agreed, that the former Committees, with the residue afterwards added unto them, both yesterday and also this day, as also Mr *St John* now lastly added, be sent up to the Lords with Answer to be pronounced by Mr Chancellor of the Exchequer in the name of the whole House, that as touching the unkindness wherewith their Lordships do charge this House, which this House hath not done, doth not and will not give their Lordships any such occasion.

Nota, That this is the last Passage in this so long and controverted business betwixt the two Houses, which this Morning had been thoroughly handled at a Committee of the said Houses: for the Upper House having first passed this Bill, and sent it down to the House of Commons on *Wednesday* the 7th day of this instant *March* foregoing, it had its several readings there on *Saturday* the 10th day of the same Month in the Afternoon, and on *Monday* the 12th day, and on *Tuesday* the 13th day of the same; having also added a Proviso unto it, with which they sent it up again to the Lords, who disliking the said Proviso, required Conference with some Committees of the said House that very foresaid 13th day of *March*, when the Bill had been sent up unto them: upon which meeting this Morning they had full Conference, as is before at large set down; but the Lords (as it should seem) utterly disliking the said Proviso, and not being satisfied with the said

said Conference, did never give the said Proviso any reading in their House, and so the Bill was dashed.

Now follows the residue of this days Passages, with the Conclusion of this Session of Parliament by Prorogation, out of the Original Journal-Book of the House of Commons: some things only of form or otherwise necessary to be inserted being added.

The Bill against the abuses of Goldsmiths, was read the third time and passed the House.

Post Meridiem.

The Bill last passed touching abuses of Goldsmiths, was this Afternoon sent unto the Lords by Mr Treasurer, and others.

Two Provisoes and certain Amendments to the Bill touching Wharfs and Keyes, were thrice read; and upon the Question with the Bill rejected.

Mr Doctor *Barkley* and Mr *Powle* did bring word from the Lords, that their Lordships do desire to know whether there be any more Bills ready to be sent unto them; unto whom Answer was made, There is none.

This Afternoon also, her Majesty came in Person to the Upper House, where *Robert Bell Esq;* Speaker of the House of Commons, did amongst other things in his Speech move her Majesty, in the name of the House to Marry: by which it may be collected, that it was agreed in the House (where this matter had been propounded on *Fri-*

day the 9th day of this instant *March* foregoing, and further debated of on *Monday* the 12th day of the same Month) that it was I say agreed, that the Speaker should thus move her Majesty in the behalf of her Marriage upon the Conclusion of this Session; in this Speech also the said Speaker did according unto the usual Custom present her Majesty with the Bill of the Subsidy, in the name of the Commons.

After which her Majesty having given her Assent unto twenty three publick Acts, and thirteen private, the Lord Keeper Adjourned the Parliament by her Majesties Commandment, until two of the Clock in the Afternoon of the day following.

And on the said *Thursday* the 15th day of *March* in the Afternoon, her Majesty came again unto the Upper House Accompanied with Sir *Nicholas Bacon* Knight Lord Keeper of the Great Seal, and divers Lords Spiritual and Temporal; but I cannot gather that there was any other cause or occasion of her Majesties coming thither, than only for the further Prorogation of this Session, which otherwise must have been done by a Commission under the Great Seal, and thereupon the Parliament was Prorogued accordingly unto the 5th day of *November* then next ensuing.

After which followed divers other Prorogations of this Parliament unto the re-assembling of it again upon *Monday* the 16th day of *January*, in *An. 23 Regine Eliz.* upon which said day, the third and last Session of this instant Parliament began.

THE
JOURNAL
OF THE
House of LORDS.

An Exact and perfect Journal of the Passages of the House of Lords in the Session of Parliament holden at Westminster, Anno 23 Reginæ Eliz. Anno Domini 1580. which began there (after many Prorogations and Adjournments of the same) on Monday the 16th Day of January, and there continued until it was first Prorogued on Saturday the 18th Day of March, and lastly Dissolved on Friday the 19th Day of April, Anno 25 Reginæ ejusdem, Anno Domini 1583.

THIS Session in Anno 23 Reginæ Eliz. Anno Domini 1580. maketh but one and the same Parliament with that in Anno 14 Reginæ Eliz. Anno Domini 1572. which was the first Session of it, and with that in Anno 18 Reginæ Eliz. Anno Domini 1575. which was the second Session of the same: so that this present Assembly of the Peers and Commons of the Realm in this their great Council was but the third and last Session of it, being one and the same Parliament as aforesaid, being continued without any Dissolution, near upon the space of twelve years by fourscore several Prorogations, or thereabouts, viz. from Thursday the 8th day of May in the fourteenth year of the Queen, on which said Thursday it first began, until the Dissolution thereof upon the 19th day of April, Anno 25 Reginæ Eliz. Anno Domini 1583.

The Prorogations between that former Session in An. 18 Reginæ Eliz. which was as hath been observed, the second and middle Session of this Parliament, and this in Anno 23 Reginæ ejusdem (with those after it) which was the third and last Session thereof, were about threescore; of which the two first happening within the said eighteenth year, are both of them placed at the end of the Journal of the said year; of which the first was on Saturday the 18th day of March in Anno 18 Reginæ Eliz. Anno Domini 1580. by which the Parliament was Prorogued unto the

5th day of November, Anno 18 Regin. Eliz. Anno Domini 1581. at which day it was the second time Prorogued unto the 26th day of March in Anno 19 Reginæ ejusdem Anno Domini 1582. upon which day it was further Prorogued by Commission unto the 3^d day of June following.

On the third day of June, to which day the Parliament had been last Prorogued, it was again further Prorogued unto the 12th day of November next following; at and from which time it was Prorogued from day to day unto the 16th day of January, being Monday, on which day this Session following in Anno 23 Reginæ Eliz. Anno Domini 1580, began.

But her Majesty because it was no new Parliament, was not present, nor did the Lords wear their Robes on this said Monday, being the first day of their meeting; nor was their any solemn Speech made by the Lord Keeper, but either House assembling themselves together severally, in their due places, fell to their ordinary businesses as upon other days is usually accustomed; yet the beginning of this Session is as solemnly Entred in the Original Journal-Book as if it had been a new Parliament, where it appeareth to be in manner and form following.

Die Lunæ 16 die Januarii 1580, Anno Regni Excellentissimæ & metuendissimæ Domine nostræ Elizabethæ, Dei gratia, Angliæ, Franciæ, & Hiberniæ Reginæ, Fidei Defensatricis, &c. Vicefimo tertio,

tertio, in quem diem post varias ac diversas Prorogationes præsens hæc Sessio Parliamenti Prorogata fuit, teneri & inchoari apud Westmonasterium die & loco prædict. Domini tam Spirituales quam Temporales, quorum nomina subsequuntur præsentis fuerunt.

Episcopus London.
Episcopus Sarisburien.
Episcopus Wigorn.
Episcopus Roffen.
Episcopus Coventr. & Litchfield.

These Bishops are thus placed in the Original Journal-Book on the dexter-side of the Lords, not by reason of prehemineny, unless the Archbishop of Canterbury had been present, but by reason of their Ecclesiastical Dignity, these being all that are noted in the said Journal-Book to have been present this day; now follow the names of the Lord Keeper and the Temporal Lords.

Thomas Bromley Miles Dominus Cancellarius.
Dominus Burleigh Thesaurarius Angliæ.
Marchio Winton.
Comes Lincoln. Magnus Admirallus Angliæ.
Comes Arundell.
Comes Northampton.
Comes Wigorn.
Comes Cumberland.
Comes Bathon.
Comes Normicen.
Comes Southampton.
Comes Pembroke.
Comes Hartford.
Comes Leicester.
Vice-comes Mountague.
Vice-comes Bindon.

Barones.

Dominus Burgavenny.
Dominus Willoughby de Erisby.
Dominus Dacres.
Dominus Stafford.
Dominus Dudley.
Dominus Lumley.
Dominus Stourton.
Dominus Mountjoy.
Dominus Darcy de Darcy.
Dominus Windsor.
Dominus Cromwell.
Dominus Evers.
Dominus Wharton.
Dominus Willoughbie de Parham.
Dominus Howard.
Dominus North.
Dominus St John de Bletso.
Dominus de la Ware.
Dominus Cheyney.
Dominus Norris.

Nota, There were no names of Receivors or Triors of Petitions read, because this was but

the third and last Session of a former Parliament, as hath been observed; and those names are never read but in the beginning of a new Parliament.

One Bill was read this Morning, being for the reformation of Sheriffs, Under-Sheriffs, and their Ministers *primâ vice.*

Hodiè retornatum est Breve, quo Preregrinus Bartye, Dominus Willoughby filius & heres Katherinæ Ducissæ Suff. filie & heredis Willielmi Willoughby nuper Domini Willoughby præsentis Parlamento interesse summonitus est, qui admissus est ad suum præheminentiæ sedendi in Parlamento locum salvo jure alieno: viz. the said Lord Willoughby was seated and took place next under the Lord Audley and above the Lord Barkley.

The like Writ returned for Edward Parker Lord Morley, who accordingly was admitted, *salvo jure alieno*, and placed next under the Lord Barkley, and above the Lord Dacres.

The Lords being thus set and in agitation of their own businesses, Sir Francis Knolles Knight Treasurer of her Majesties Household, Accompanied with Sir James Crofts Knight Comptroller of her Highness Household, Sir Francis Walsingham Knight one of her Majesties Principal Secretaries, and Mr Doctor Wilson Esquire, another of her Majesties Principal Secretaries, Sir Walter Mildmay Knight Chancellor of her Majesties Exchequer, and divers others, being sent up to the said Lords by the House of Commons upon some urgent and weighty occasions, desired to be admitted into the said Upper House there to make known to their Lordships somewhat of importance, wherein they should require their advice and need their assistance; upon which being admitted the said Mr Treasurer assisted with the Personages and Company aforesaid, did in comely order and discreet manner, make manifest and known unto the said Lords, that Sir Robert Bell Knight late Lord Chief Baron, and Speaker of the said House, who had been Elected to the said place in the first Session of this Parliament in the fourteenth year of her Majesty, and had continued also the second Session thereof, being in the eighteenth year of her said Highness Reign in the said place, was now dead, which had been openly and manifestly made known and testified unto them; for remedy of which defection, they humbly prayed their Lordships advice. After which the Lord Keeper first requiring the said Personages a while to withdraw themselves, and then commending the order of the matter unto the said Lords sitting in Consultation for the same, it was upon considerate advice therein had by them all, thought fitting to signify unto the said Commons, by the Personages aforesaid who had been sent from them, that they thought it expedient and good, that such of the Lords of the said House as were of her Highness Privy-Council, with the Lord Marques of Winchester, and the Earl of Arundel, Accompanied with such a number of the Commons House as by them should be agreed upon, should in the name of both the As-

semblies make intimation of their said Estate, and the Petition thereupon depending, unto her said Highness; to which advice the said Commons upon knowledge had of the same wholly assented.

Then followed the Adjournment of the said Parliament by the Lord Keeper according to the usual form, which is thus Entred in the Original Journal-Book.

Dominus Cancellarius Adjournavit præsens Parliamentum usque in diem Mercurii proximum hora nona.

On *Wednesday* the 18th day of *January*, *Billa* for reformation of abuses in Sheriffs, Under-Sheriffs and their Ministers, *secunda vice lecta*.

Two other Bills also of no great moment were read *primâ vice*.

The Queen having been moved as it seemeth (according to the resolution of the two Houses jointly agreed upon between them, on *Monday* last past the 16th day of this instant *January*) about the Death of Sir *Robert Bell* late Lord Chief Baron, their former Speaker, and the choice of a new one in the House of Commons by the Marquess of *Winchester*, and those other right honourable Personages who were then and there named to move her Highness in it; did give Order that this present *Wednesday* both the Lords and Commons should assemble and meet together in the Upper House, commonly called the Lords Parliament Chamber, there to receive her Majesties Answer, where being Assembled Sir *Thomas Bromley* Knight Lord Chancellor of *England*, shewed forth a Commission from her Highness under the Great Seal of *England*, which was directed to him only, wherein her Majesty taking notice of the Death of Sir *Robert Bell* their former Speaker, did Authorize the Lord Keeper for her Majesty and in her name, to will and Command the Knights, Citizens and Burgeesses of the House of Commons to resort unto their accustomed place, and there to elect and chuse amongst themselves, one able and sufficient person to be their Speaker for the rest of this present Parliament yet to come; and after they should have made their Election, that then three or four of them for and in all their names, should signifie the same unto her Majesty: and thereupon her Highness would further signifie her pleasure unto them, what day and time they should present him so Elected before her, as it had been formerly in like Cases accustomed to be done.

Nota, That this Commission is set down at large in the Journal of the House of Commons, *de isto Anno 23 Regine Eliz.* to which it more properly belongeth.

This day lastly, was returned one unusual Proxy from *John Bishop* of *Exeter*, which is thus Entred in the Original Journal-Book, the words only a little misplaced.

18 die Januarii, Johannis permissione divina Episcopi Exoniensis introductæ sunt literæ Procuratorie, in quibus Procuratorem suum constituit reve-

rendum in Christo Patrem Johannem Episcopum Wigorniensem.

Nota, That though there were no names of Triors or Receivors of Petitions read at this time, because it was but the latter Session of a former Parliament, and those said Receivors and Triors are never assigned but at the beginning of a new one; yet it is very usual for the Lords of the Upper House to send their Proxies after a Prorogation as well as at the beginning of a new Parliament, and especially if there be any long space or distance between the Sessions, as was likewise used in the former Parliaments, *viz.* in that second Session of Parliament held in *Anno 8 Regine Eliz.* and the foregoing Session of Parliament held in *Anno 18 Regine ejusdem*.

The Proxy before set down, I therefore call an unusual, because a spiritual Lord Constituted but one Proctor; whereas for the most part they seldom or never nominate fewer than two, and the Temporal Lords as seldom more than one; and therefore those ordinary Proxies are for the most part wholly omitted, and the extraordinary only transcribed out of the Journal-Book: and at this Session of three Earls and ten Barons, who sent their Proxies, only one, *viz.* *Henry Earl of Huntington* Constituted two Proctors, which Proxies with some other unusual ones are set down the 23th day of this instant *January* following; on which said day being *Monday* they are all set down in the Original Journal-Book to have been introduced.

The Earl of *Leicester* had this Parliamentary Session, six several Proxies sent unto him (set down in the Original Journal-Book in the same Order they here follow) *viz.* from *Henry Earl of Darby*, *Henry Lord Scroope*, *Thomas Lord Buckhurst*, *George Earl of Shrewsbury*, *John Lord Darcy of Aston*, and from *Henry Earl of Huntington*, who Constituted him the said Earl of *Leicester* his Proctor severally and jointly with *Francis Earl of Bedford*, all which said Proxies or Letters Procuratory, are Entred in the Original Journal-Book to have been returned, or introduced on *Wednesday* the 25th day of this instant *January*.

On *Thursday* the 19th day of *January*, *Billa* for avoiding of slanderous Libelling, *prima vice lecta*; and two other Bills of no great moment were each of them read *secunda vice*: after which the continuance of the Parliament is thus Entred in the Original Journal-Book.

Dominus Cancellarius continuavit præsens Parliamentum usq; in diem prox. hora secunda post meridiem.

On *Friday* the 20th day of *January*, the House met not till about two of the Clock in the Afternoon, when her Majesty was her Self present, with Sir *Thomas Bromley* Lord Chancellor, and divers of the Lords both spiritual and Temporal; who being all set, the Knights, Citizens and Burgeesses had notice given them thereof, and thereupon repaired unto the Upper House with *John Popham Esquire*, the Queens Sollicitor, whom they

they had Elected and Chosen their Speaker on *Wednesday* the 18th day of this instant *January* last past.

The said Speaker or Prolocutor, with as many of the House of Commons as conveniently could, being let in, was led up between two of the most eminent Personages of the said House of Commons unto the Rail or Bar at the lower end of the Upper House, and being there placed after three Reverences made, spake to the effect following:

That whereas at the humble Suit of the Knights, Citizens and Burgeſſes of the Commons House of Parliament now Aſſembled, it had been ſignified from her Maſteſty by the Mouth of the Lord Chancellor, and by force of her Highneſſe Commiſſion under the Great Seal of *England*; that it was her Pleaſure and Command, that the ſaid Knights, Citizens and Burgeſſes ſhould chuſe a Learned man for their Speaker, inſtead of Sir *Robert Bell* late Lord Chief Baron and their Speaker, whom it had pleaſed God to take out of this World: that thereupon they had Chosen and compelled himſelf to take upon him that weighty Charge, for which finding himſelf altogether unable, and further at large preſſing his own diſability, he laſtly, deſired that her Maſteſty out of her gracious favour, would be pleaſed to free him from that great imployment; and that the ſaid Knights, Citizens and Burgeſſes might have Authority to Eleſt and Chuſe ſome other more able and ſufficient Member amongſt them, to undertake and perform the ſame.

Then the Queen called the Lord Chancellor unto her, declaring her Opinion in that which he ſhould Answer to the ſaid Speaker or Prolocutor; who thereupon returning to his place, Answered the ſaid Speaker, that her Maſteſty had fully heard, and did well allow of his modeſt and humble diſabling of himſelf, but yet being alſo acquainted with his faithfulneſſe, care and many abilities, her Maſteſty was reſolved he ſhould undertake this Charge, and therefore did both allow and approve of the ſaid Eleſtion of the House of Commons.

Whereupon the ſaid Speaker rendring his moſt humble thanks to her Maſteſty, and acknowledging her gracious favour towards him, promiſed his moſt faithful and careful endeavour for the diſcharge of the ſaid place, after which he proceeded to Petition her Maſteſty, in the name of the House of Commons, (according to the uſual courſe) for freedom of Speech, freedom of Access to her Maſteſty, and freedom from Arreſts and Suits for themſelves, and their neceſſary Attendants. And laſtly, that if in any thing he ſhould unwittingly miſtake, the blame might not lie upon the Houſe, but upon himſelf, and that her Maſteſty would be pleaſed graciously to Pardon him.

To which the Lord Chancellor by Command from her Maſteſty, Answered, that ſhe did well

accept of his humble thankfulneſſe, and the promiſe of his beſt endeavour and diligence, and that for all his Petitions her Maſteſty was well pleaſed that himſelf, and the Knights, Citizens and Burgeſſes of the House of Commons, ſhould have and enjoy all ſuch freedoms and priviledges, as had been formerly in like Caſe enjoyed and uſed in the times of her Maſteſties moſt Royal Progenitors.

And then he concluded with a ſpecial Admonition, that the House of Commons ſhould not deal or intermeddle with any matters touching her Maſteſties Perſon, or Eſtate, or Church Government.

Nota, That in the Original Journal-Book of the Upper-Houſe, *de Anno iſto 23 Regine Eliz.* the Queens preſence, and the preſence of the other Lords is only noted, but no mention is made who was choſen Speaker, or that he was preſented this Afternoon; which happened by the very great negligence of Mr *Anthony Maſon* at this time Clerk of the ſaid Houſe: wherefore this Preſentment of the Speaker in manner and form, as is aforeſaid; is ſupplied for the moſt part out of the Original Journal-Book of the House of Commons in this Seſſion of Parliament, in the twenty third year of her Maſteſty, being there Entred fol. 4. a.

Besides the further Adjournment of the Parliament, or continuance of it, Entred commonly in theſe words, *viz. Dominus Cancellarius Adjournavit præſens Parliamentum, &c.* or, *continuavit præſens Parliamentum, &c.* being but matter of courſe, are in this enſuing Journal omitted; unleſs where ſomewhat in it doth happen extraordinary, in reſpect of the time, place, or perſon.

On *Monday* the 23th day of *January*, to which day the Parliament had been laſt Adjourned, a Bill for the maintenance of the Borders and Frontiers againſt *Scotland*, was read *primâ vice*; and one other Bill for avoiding of ſlanderous Libelling, was read *ſecundâ vice*.

This day alſo were introduced, or delivered unto the hands of the Clerk of the Parliament, divers extraordinary and unuſual Proxies, which are thus Entred in the Original Journal-Book, or in not much different words.

23 die Januarii introductæ ſunt literæ Procuratorie Richardi Episcopi Dunelmensis, in quibus Procuratores suos constituit Edwinum Archiepiscopum Eboracen. Johannem Episcopum Sarisburiensem, & Willielmum Episcopum Cestrensem.

Item introductæ ſunt literæ Procuratorie Willielmi Episcopi Cestrensis, in quibus Procuratorem suum constituit Willielmum Episcopum Coventr. & Litchf.

Item introductæ ſunt literæ Procuratorie Gilberti Episcopi Bathon. & Wellen. in quibus Procuratores suos constituit Johannem Episcopum London, Thomam Episcopum Lincoln. Johannem Episcopum Wigorn. & Johannem Episcopum Sarisburiensem.

Item introductæ ſunt literæ Procuratorie Henrici Comitiss

Comitis Huntingtoniæ, in quibus Procuratores suos constituit Franciscum Comitem Bedford, & Robertum Comitem Leicestr.

Nota, That whereas the Spiritual Lords do for the most part name but two Proctors, and not fewer than two; here the Bishop of *Durham* Constituted three, the Bishop of *Bath and Wells* four, and the Bishop of *Chester* but one: and in like manner whereas the Temporal Lords seldom Constitute above one Proctor, here the Earl of *Huntington* nominated two.

Finally it is to be noted, that none of these Lords could be thus absent, or Constitute their Proctors, but by the Queens Majesties Licence first obtained.

On *Tuesday* the 24th day of *January*, to which day the Parliament had been last continued, the Lord Chancellor and divers Lords met, but nothing was done saving the Adjournment of the Parliament by the Lord Chancellor.

It seems that no businesses or Bills being as yet sent up from the House of Commons to the Upper House, the Lords had no great employment; and hence it is usual for them in the beginning of a new Parliament, or of a new Session after many Prorogations, to meet and without any further agitation or business, only to continue or Adjourn the Parliament to a further day.

On *Thursday* the 26th day of *January*, to which day the Parliament had been last Adjourned, The Bill against slanderous words and rumors, and other seditious practices against the Queens Majesty, was read *primâ vice*; and two other Bills also of no great moment had each of them one reading.

On *Saturday* the 28th day of *January*, to which day the Parliament had been continued on *Thursday* last, the foresaid Bill against slanderous words, &c. was read *secundâ vice*, & *commissa ad ingrossandum*.

Two other Bills had each of them one reading at the same time.

On *Monday* the 30th day of *January*, to which day the Parliament had been on *Saturday* foregoing last Adjourned, the foresaid Bill against slanderous words, &c. was read *tertiâ vice* & *communi omnium Procerum assensu conclusa*; and with another Bill of no great moment concluded also this day, was sent down to the Commons House by the Queens Attorney and Doctor Clerk.

There was one other Bill also for reformation of disorders and abuses in Sheriffs, Under-Sheriffs, and their Ministers, read *secundâ vice*.

On *Tuesday* the 31th day of *January*, Two Bills of no great moment had each of them their first reading: Two other Bills also were sent up to the Lords from the House of Commons, *viz.* *Billa* for the speedy recovery of Debts, *quæ primâ vice lecta*; and a Bill for avoiding of certain incumbrances against Purchasers, which was also read *primâ vice*.

On *Wednesday* the first day of *February*, *Billa* for the reformation of disorders and abuses in

Sheriffs, Under-Sheriffs, and their Ministers, was read *tertiâ vice*, and then upon the Conclusion thereof, sent down to the House of Commons.

The Bill also touching *John Taylor* and Mr *Terril* being read *primâ vice*, was committed. *Quod nota*, that a Bill was committed upon the first reading, which is seldom used till the second.

Another Bill also touching Fines and Recoveries, was read and committed.

On *Saturday* the 4th day of *February*, to which day the Parliament had on *Wednesday* last past been Adjourned, *Billa* for the maintenance and strengthening of the Borders against *Scotland*, and two other Bills of no great moment had each of them one reading.

On *Monday* the 6th day of *February*, Two Bills were each of them once read; whereof the latter was for coming to Church, hearing of Divine Service, and receiving of the Communion.

On *Tuesday* the 7th day of *February*, Three Bills had each of them one reading; whereof the last was touching Leases made by Corporations.

On *Wednesday* the 8th day of *February*, A Bill touching the Hospital of *Ledbury* in the County of *Hereford*, was read *secundâ vice* & *commissa ad ingrossandum*.

On *Thursday* the 9th day of *February*, the former Bill touching the Hospital of *Ludbury*, &c. was read the third time, and upon the Conclusion thereof was sent down to the House of Commons.

On *Saturday* the 11th day of *February*, to which day the Parliament had been last Adjourned, the Lord Chancellor and divers Lords met in the Forenoon, but nothing was done, saving the continuance of the Parliament unto two of the Clock in the Afternoon the same day; at which hour meeting also, nothing was done but only the Parliament again Adjourned to a further day.

On *Monday* the 13th day of *February*, to which day the Parliament had been on *Saturday* last Adjourned. There were three Bills each of them once read; whereof the last being a Bill for the fortifying of the Frontiers towards *Scotland*, was read the third time, and after the conclusion thereof sent down to the House of Commons.

On *Wednesday* the 15th day of *February*, to which day the Parliament had been last Adjourned, the Lord Chancellor and divers Lords met in the Upper House, but no Bills were read, only the Lord Chancellor continued the Parliament to nine of the Clock in the Forenoon the day following.

On *Thursday* the 16th day of *February*, *Billa* for increase of Mariners and Navigation of *England*, was read *prima vice*; and another Bill also of no great moment had its first reading.

On *Saturday* the 18th day of *February*, to which day

day the Parliament had been last Adjourned, four Bills were sent up to the Lords from the House of Commons; whereof the last was an Act for Explanation of a Statute against forging of Evidences and Writings, which with the other three Bills, had each of them their first reading.

On Monday the 20th day of February, to which day the Parliament had been last Adjourned, the Bill touching the Lord Compton, &c. was read *primâ vice*.

Two Bills also were brought up to the Lords from the House of Commons (which are more particularly expressed in the Journal of that House.)

On Tuesday the 21th day of February, Three Bills also were sent up to the Lords from the House of Commons; whereof the last was an Act ratifying an award between some private persons, but there is no mention in the Original Journal-Book of any Bill read this Morning, but only of the continuance of the Parliament according to the usual form.

On Wednesday the 22th day of February, Five Bills had each of them one reading; whereof the first was a Bill against Counterfeiting of the hands of any of her Majesties Privy-Council, and for the avoiding of counterfeit Instruments and Writings under Seal, or counterfeiting of the Seal of any Office or Officer, which said Bill was read *prima vice*.

On Thursday the 23th day of February, Two Bills had each of them one reading; of which the latter being a Bill against slanderous words and rumors, and other seditious practices against the Queens Majesty, with a new Addition of certain Amendments, was read *secundâ vice*.

It should rather seem that only the Addition and Amendments which had been inserted *de novo* into this aforeaid Bill, were now read the second time; for the Bill it self had passed the Upper House upon the third reading on Monday the 30th day of January foregoing, and was the same Forenoon sent down to the Commons House, and there passed; and from them was sent up again to the Lords on Monday the 20th of this instant February last past, with a new Addition and certain Amendments: So that the Bill it self which hath once passed the House is never read again, but only such new Additions and Amendments as are inserted in it must be passed again *de novo*, because they are of the same nature as if a new Bill were brought in.

On Saturday the 25th day of February, to which day the Parliament had been last Adjourned, was read a Bill touching Fines and Recoveries *secundâ vice*; and another Bill of no great moment had also its second reading.

Memorand. that on this foresaid 25th day of February being Saturday, which day was before given to certain Parties then in difference for assignation of some Errors supposed by them to be in a certain Suit Commenced against them: Mr Cooper came in for the said Plaintiff, and o-

penly before the Lords in the Parliament House, assigned the Errors; after the hearing whereof the Lord Chancellor with consent of the Lords, Ordered that the Plaintiff should have a *seire facias* returnable either the first day of the next Session, or the first day of the next Parliament.

On Monday the 27th day of February, to which day the Parliament had been last continued, the Bill for Explanation of the Statute against forging of Evidences and Writings, was read *primâ vice*; and another Bill of no great moment was read *secundâ vice*: Then were there two Bills of no great moment sent up to the Lords from the House of Commons; whereof the first had its first reading.

Three other Bills finally after this, were each of them once read; whereof the last being a Bill touching my Lord Compton, &c. was after the second reading committed to be ingrossed.

On Tuesday the 28th day of February the Bill for ratifying an Award in the Chancery concerning Copyhold and Customary Tenants of the Mannors of Moore and Newman, Synderich, Knyhton and Pensokes, in the County of Worcester, was read *secundâ vice*: after which also seven other Bills had each of them one reading; of which the fourth Bill being as the rest of no great moment, was after the passing of it sent down to the House of Commons. But the first Bill of the said seven which was touching the Inning of Erith and Plumsted-Marsh, being upon the third reading concluded; yet it was Ordered by the Lords that the same Bill should be staid from the sending of it down to the House of Commons, until the Parties had brought in their several Bonds.

On Wednesday the first day of March, the Bill for the Explanation of the Statute against forging of Evidences was read *tertiâ vice*: which coming to the Question, and the numbers of the Contents on the one side, and the numbers of the Not-contents on the other side found to be equal and alike with their Proxies, it was Commanded to be laid up in the Desk till the next Parliament.

On Thursday the second day of March a Bill for the increase of Mariners and maintenance of Navigation, was after the second reading, committed to be ingrossed. Five Bills also were sent up to the Lords from the House of Commons; whereof the first was the Subsidy Bill, the other four of no great moment. The Bill also for the Confirmation of a Subsidy granted by the Clergy *primâ & secundâ vice lecta, & commissa ad ingrossandum*. There were two other Bills each of them read once this Morning; whereof the first being a Bill for the punishment of those who should counterfeit the hands of any of her Majesties Privy-Council, or the Seals of others, was after the third reading rejected. *Quod nota*, because it is seldom seen that any Bill after it hath passed the third reading should be rejected.

Then was the Parliament continued by the Lord Chancellor unto two of the Clock in the After-

Afternoon; at which time the Lords meeting, there were only two Bills read *primâ vice*; whereof the first was the Subsidy Bill, and then the Lord Chancellor Adjourned the Parliament unto the day following.

On *Friday* the third day of *March*, Six Bills of no great moment had each of them one reading; whereof the last was a Bill that Gavelkind Lands within the County of the City of *Exeter* may be Inheritable as Lands at the Common Law, which was read the third time and concluded.

Nota, That this Custom of Gavelkind (by which all the Sons do Inherit the Lands of their Ancestors equally) is not only in *Kent*, but hath been also in the City of *Exeter* in the County of *Devon*. and as is very probable either is, or hath been in other parts of the Kingdom.

The Lord Chancellor continued the Parliament unto two of the Clock in the Afternoon; about which time the Lords meeting, the Bill for the grant of a Subsidy and two Fifteenths and Tenths by the Temporality, was read *secundâ vice*.

On *Saturday* the 4th day of *March*, were four Bills of no great moment each of them once read; whereof the first being a Bill for the confirmation of a Subsidy granted by the Clergy, was after the third reading concluded.

Mr *Oughtred* that was sent for by Order of the Lords, made his appearance, and to him day was given for bringing of his Council on *Tuesday* next, and the same day was also appointed for my Lady Marquess of *Winchester*.

This Forenoon finally, two Bills of no great moment were sent up to the Lords from the House of Commons, and one Bill for the assurance of an yearly rent to the Bishop of *Coventry* and *Litchfield* in Fee, was *tertiâ vice lecta*; and then sent down from the Lords to the said House of Commons.

On *Monday* the 6th day of *March*, to which day the Parliament had been last Adjourned, were two Bills of no great moment read; whereof the first was touching Fines and Recoveries.

On *Tuesday* the 7th day of *March*, Six Bills were brought up to the Lords from the House of Commons; whereof the last was for keeping of the Queens Majesties Subjects in due obedience: there were two Bills also each of them once read; whereof the last touching Fines and common Recoveries, was after the third reading sent down to the House of Commons.

This day appeared before the Lords, as was appointed, the Lord Marquess with his Council on the one side, and the Council of the Lady Marquess on the other side, and Mr *Oughtred* for himself; The Lord Chancellor with consent of the Lords, after hearing of all the Parties, and upon Conference, thought it best for the better Expedition of the matter, that certain of the Lords, if the Parties consented thereunto, should have the hearing of all the Controversies betwixt

them, and of the several accompts of Mr *Oughtred*; to which the Parties being called again, every one for himself did personally assent, only further Order was taken that the Lady Marquess should deliver her assent the next day by her Council. The Lords that were named to hear the said Controversies were these, which were chosen by the Parties themselves, the Lord Chancellor, the Lord Treasurer, the Lord Chamberlain, and the Earl of *Bedford*; and for the Causes between the Lord Marquess and the Lady Marquess, were chosen by the said Parties, the Lord Chancellor, Lord Treasurer, Lord Chamberlain, and the Lord *Buckhurst*.

Then the Lord Chancellor continued the Parliament unto two of the Clock in the Afternoon, at which hour the Lords meeting, Three Bills of no great moment had each of them one reading; whereof the last being a Bill touching the Lord *Zouch*, was read *secundâ vice*, and then committed to be ingrossed.

On *Wednesday* the 8th day of *March*, Three Bills of no great moment had each of them one reading; whereof the last was *Billa* for keeping the Queens Majesties Subjects in their due Obedience.

Two Bills also were brought up to the Lords from the House of Commons; whereof the last being a new Bill for the fortifying of the Borders towards *Scotland* (which they returned with a former Bill passed by the Lords before with great deliberation to the same purpose, and sent down to them so passed with the same title) it gave the Lords much distast, because they thought this course to be both derogatory to the superiority of the place, and contrary to the antient course of both Houses; and as they disliked the disorder, so was it their pleasure that this their misliking should be entred in the Records of Parliament, lest so evil an Example might hereafter be abused, as a precedent. *Vide plus de ista materia die 10 Martii sequente.*

Then the Lord Chancellor continued the Parliament unto two of the Clock in the Afternoon, at which the Lords meeting, four Bills had each of them one reading; whereof the first being the Bill for the Grant of a Subsidy and two Fifteenths and Tenths by the Temporality, was read *tertiâ vice & communi omnium Procerum assensu conclusa*.

On *Thursday* the 9th day of *March*, Five Bills had each of them one reading; whereof the first being a Bill for restitution in Blood of *Philip* Earl of *Arundel*, was read *primâ vice*.

On *Friday* the 10th day of *March*, were five Bills read; the first three being of no great moment had each of them one reading, the fourth being a Bill for restitution in Blood of two of the *Saintlegers*, was read *secundâ & tertîâ vice*, and then was sent down to the House of Commons with another Bill for the Earl of *Arundels* restitution, which had likewise passed the Lords this Forenoon. The new Bill lastly for the fortifying of the Borders towards *Scotland* was read *primâ vice*.

Nota,

Nota, That though the Lords did take great offence at the House of Commons for sending up this new Bill unto them, and rejecting a former Bill by them passed and sent down to the said House of Commons, which had been framed by them to the same purpose, without acquainting their Lordships first upon what grounds or for what reasons they had rejected the former Bill (as may be seen at large on *Wednesday* the 8th day of *March* foregoing;) and though their Lordships did then likewise Order that this Act should be Entred in the Records of the Upper House as a thing derogatory to the dignity thereof, yet it pleased their Lordships not only on this *Friday* this 10th day of *March* to give the said new Bill its first reading, but on *Tuesday* the 14th of *March* following caused it to be read the second time, and on the next day following being *Wednesday* having added certain amendments unto it, did finally upon the third reading conclude and pass it. *Vide Martii 17 postea.*

One Act lastly for the repair of *Dover Haven*, was sent up to the Lords from the House of Commons, which was read *primâ vice*.

On *Monday* the 13th day of *March*, to which day the Parliament had been last Adjourned, Five Bills were sent up to the Lords from the House of Commons; of which the first being an Act for the true making, melting and working of Wax, with two others were read *primâ vice*.

Six other Bills also were read this Morning; of which the fifth being a Bill for restitution in Blood of *Anthony Mayney*, was read *secundâ & tertiâ vice*, and so concluded; but the rest had each of them but one reading and no more.

On *Tuesday* the 14th day of *March*, Four Bills had each of them one reading; of which the last being a Bill for the fortifying of the Borders towards *Scotland* was read *secundâ vice*.

On *Wednesday* the 15th day of *March*, Three Bills had each of them one reading apiece; of which the last being the Bill for the fortifying of the Borders towards *Scotland* was read *tertiâ vice*, and so concluded: Six Bills also were sent up to the Lords from the House of Commons; of which the last being a Bill touching Iron-Mills near unto the City of *London*, on the River of *Thames*, was read *primâ vice*.

On *Thursday* the 16th day of *March*, Two Bills had each of them one reading; whereof the last being a Bill touching deceit in dying of Cloths, was read *tertiâ vice*, and then sent down to the House of Commons.

On *Friday* the 17th day of *March*, Two Bills were brought up to the Lords from the House of Commons; whereof the first was for the fortifying of the Borders towards *Scotland*, with request that certain words might be left out for that they were superfluous.

It seemeth the Commons having formerly given the Lords distast about this Bill (as may appear on *Wednesday* the 8th day of *March* last past) did now send unto them about some amendments, which their Lordships had added to the said Bill, which before they would alter or once

read (for the Bill it self had already passed both Houses) they gave them notice thereof on this instant *Friday* the 17th day of this instant *March*; desiring as may easily be collected) that some superfluous words might be put out of the said amendments: whereupon it seemeth the Upper House did yield to this respectful and seasonable request of the Commons (although it be not mentioned in the Original Journal-Book;) for the Bill being altered according to their desires, and sent down again to them this Forenoon, they there presently passed the said amendments, and returned the Bill concluded.

Two other Bills were also sent up to the Lords from the House of Commons; of which the first being a Bill for the repressing of seditious practices against the Queens Majesty, was read *primâ & secundâ vice*.

On *Saturday* the 18th day of *March*, the Bill for the increase of Mariners and maintenance of the Navigation returned from the House of Commons *conclusa*, with certain amendments, and a Proviso added by them which was read *primâ, secundâ & tertiâ vice, & communi omnium procerum assensu conclusa est*.

Two other Bills also of no great moment; (whereof the last touching Iron-Mills about the City of *London*, &c. was read *tertiâ vice & communi omnium procerum assensu conclusa*, with certain amendments, and two Provisoes to be taken out, were sent down to the House of Commons.

Then was Entred the continuance of the Parliament in these words, *viz. Dominus Cancellarius continuavit præsens Parliamentum usq; in horam secundam post meridiem.*

At which hour the Lords meeting, the two former Bills last above-mentioned, which had been sent down to the House of Commons, were returned from them up to the Lords again concluded.

Not long after the Lords were set, her Majesty came to the Upper House, and the Knights, Citizens and Burgeses of the House of Commons having notice of her Majesty being there, with *John Popham* their Speaker repaired unto the said House, and as many as could conveniently being let in, the said Speaker standing at the Rail or Bar at the lower end of the Upper House, after his humble reverence made, and some expressions of his zealous affection towards her Majesty, and humble acknowledgment of her many gracious favours towards him, he then proceeded according to the usual course to desire her Majesties Assent to such wholesome Laws as in this Session of Parliament had passed either House; and withal did in the name of the House of Commons humbly offer unto her Majesty the Bill of one Subsidy and two Fifteens and Tenths, as a small testimonial of their unfeigned Loyalty, and thankful acknowledgment of the great happiness they enjoyed under her Majesties most gracious Government.

To which Speech the Lord Chancellor, having received instructions from her Majesty, Answered,

that she did graciously accept the said Speakers many dutiful expressions, and did well allow of those wholesome Laws they had made, hoping that all such whose places it might concern, would be careful to put them in Execution: And lastly concluded with her Majesties thankful acceptance of the aforesaid Subsidy, Fifteenths and Tenths, granted unto her by the House of Commons.

Then were the Titles of all the publick and private Acts read in their due Order, and her Majesties Assent thereunto, and then the Bill of Subsidies, to which the Clerk of the Parliament standing up, did read the Queens Answer in manner and form following:

Le Roigne remercie ses loiaulx Subjects, & accept leur benevolence & ainsi le veut.

The Clerk of the Parliament having read the Queens acceptance and thanks for the Subsidy given as aforesaid, did then upon the reading of the Pardon pronounce in these French words following, the thanks of the Lords and Commons for the same.

Les Prelats Seigneurs & Communes en se present Parlement assemblee au nom de tous vous autres Subjects remercient tres humblement vostre Majestie, & prient a dieu que ils vous donne sante bonne, vie & longue.

Nota, That here to the Subsidy Bill, because it is the meer gift of the Subject, the Queens Consent is not required for the passing of it, but as it is joined with her thankful acceptance; nor to the Bill of Pardon, because it is Originally her free gift, is other circumstance required than that the thankful acceptance thereof by the Lords and Commons be likewise expressed, it being but once read in either House, before it come thus at last to be expedited.

Then followed the Prorogation of the Parliament, which is Entred in the Original Journal-Book in manner and form following.

Dominus Cancellarius ex mandato Domine Regine tunc presentis, Prorogavit presens Parliamentum usq; in vicesimum quartum diem Aprilis proximum futurum.

At which day this said Parliament was again Prorogued, and so was still continued by sixteen other Prorogations, each after other, till it was at last Dissolved upon the 19th day of April in the twenty fifth year of her Majesties Reign; the substance of all which Prorogations, with the manner of the Dissolution, doth next follow.

Nota, The word or term *Adjourned* is used for *Prorogued* throughout.

Vicesimo quarto die Aprilis, in quem diem Prorogatum fuerat hoc presens Parliamentum, Sir Thomas Bromley Knight Lord Chancellor, the Bishop of London, and the Lord Cromwell, Commissioners, &c. did Adjourn the Parliament *ad & in 29 diem Maii.*

Vicesimo nono die Maii, in quem diem Prorogatum fuerat presens Parliamentum, The Parliament was by the Lord Chancellor, the Earl of Darby, and the Bishop of Sarisbury, Commissioners, &c. Adjourned *ad & in 12 diem Junii.*

Duodecimo die Junii, in quem diem Prorogatum fuerat, &c. The Parliament was by the Lord Chancellor, Lord Treasurer, and five other Commissioners, Adjourned *ad & in 28 diem jam instantis Junii.*

Vicesimo octavo die Junii, Anno 23 Eliz. Regine, in quem diem Prorogatum fuerat hoc presens Parliamentum, The Parliament was by the Lord Chancellor, the Earl of Arundell, and the Lord Dacres, Commissioners, &c. Adjourned *ad & in 26 diem Julii prox. futurum.*

Vicesimo sexto die Julii, Anno 23 Eliz. Regine, The Parliament was by Sir Thomas Bromley Lord Chancellor, and three other Commissioners, Adjourned *ad & in 12 diem Augusti, Anno 23 Eliz. Regine, prox. futurum.*

Vicesimo primo die Augusti, Anno 23 Eliz. Regine, in quem diem Prorogatum fuerat, &c. The Parliament was by the Lord Wentworth, and the Bishop of London, Commissioners, &c. Prorogued *ad & in quintum diem Octobris prox. futurum.*

Quinto die Octobris, Anno 23 Eliz. Regine, The Parliament was by the Bishop of London, and the Lord Dacres, Prorogued by vertue of the Queens Majesties Commission, &c. *ad & in 23 diem Novembris prox. futurum.*

Vicesimo tertio die Novembris, Anno 24 Eliz. Regine, The Parliament was Adjourned by Sir Thomas Bromley Lord Chancellor, and Edward Lord Stafford, by vertue of the Queens Majesties Commission, *ad & in quintum diem Decembris prox. futurum.*

Quinto die Decembris, Anno 24 Eliz. Regine, The Parliament was by the Lord Chancellor, and Edward Lord Stafford, Adjourned according to the Queens Majesties Commission in that behalf, &c. *ad & in 18 diem Januarii prox. futurum.*

Decimo octavo die Januarii, Anno 24 Eliz. Regine, The Parliament was Adjourned by the Lord Chancellor, the Lord Treasurer, the Bishop of London, and the Lord Howard of Effingham, by vertue of the Queens Majesties Commission, *ad & in duodecimum diem Februarii proxime futurum.*

Duodecimo die Februarii, Anno 24 Eliz. Regine, The Parliament was Adjourned by the Lord Chancellor, the Lord Treasurer, the Bishop of London, and the Lord Buckhurst, by Vertue of a Commission, *ad & in 12 diem Martii prox. futurum.* Upon which said 12th day of March in the same twenty fourth year of her Majesties Reign, the Lord Chancellor, and other Lords met, and Prorogued the Parliament unto a further day, which after five other Prorogations was at last Dissolved, all which follow in their several places, viz.

Duodecimo die Martii, Anno 24 Eliz. Regine, The Parliament was by the Lord Chancellor, the Bishop of London, and Gregory Lord Dacres, by vertue of a Commission, Adjourned *ad & in 26 diem Aprilis prox. futurum.*

Vicesimo sexto die Aprilis, Anno 24 Eliz. Regine, The Parliament was Adjourned by the Lord Chancellor,

cellor, one Earl, one Bishop, and two Lords, by vertue of a Commission, *ad & in 26 diem Maii prox. futurum.*

Vicesimo sexto die Maii, Anno 24 Eliz. Reginae, The Parliament was Adjourned by the Lord Chancellor, and Roger Lord Morley, by vertue of a Commission, *&c. ad & in decimum diem Octobris prox. futur.*

Decimo die Octobris, Anno 24 Eliz. Reginae, the Parliament was in usual form Adjourned by the Bishop of London, and Gregory Lord Dacres, by vertue of a Commission, *&c. ad & in 29 diem Novembris prox. futurum.*

Vicesimo nono die Novembris, Anno 25 Eliz. Reginae, The Parliament was in usual manner Adjourned by the Bishop of London, and Gregory Lord Dacres, by vertue of a Commission, *&c. ad & in 24 diem Januarii prox. futurum.* Nota the word Adjourned is used for Prorogued.

Vicesimo quarto die Januarii, Anno 25 Eliz. Reginae; the Parliament was in usual form Adjourned by the Lord Chancellor, the Lord Treasurer, and the Bishop of London, by vertue of a Commission, *&c. ad & in 19 diem Aprilis prox. futurum.*

Memorand. quod hodierno die, decimo nono die Aprilis, Anno Regni 25 Elizabethæ Reginae, in quem diem Prorogatum fuit hoc præsens Parliamentum, convenere Proceres, tam Spirituales quam Temporales, quorum nomina subscribuntur, Thomas Bromley Miles Cancellarius Angliæ, Willielmus Dominus Burleigh, Dominus Thesaurarius Angliæ, Philippus Comes Arundell, Franciscus Comes Bedford, Johannes Episcopus London, Edwardus Dominus Stafford, Fredericus Dominus Windesor, Henricus Dominus Hunfdon, Henricus Dominus Norris; Qui cum convenissent, Thomas Bromley Miles Dominus Cancellarius Angliæ literas Regias Commissarias Anthonio Mafon Clerico Parliamenti publice legendas in manus tradidit, virtute quarum Dissolutum est hoc præsens Parliamentum.

Earum autem tenor hic erat.

ELizabetha Dei gratia Angliæ, Franciæ & Hi-
bernæ Regina, Fidei Defensatrix, &c. præ-
dilecto & fideli Consiliario suo Thomæ Bromley
Militi Domino Cancellario Angliæ, reverendissimòq;
in Christo Patri Edwino Ebor. Archiepiscopo Ang-
liæ Primate & Metropolitano; ac prædilecto &
Consiliario suo Willielmo Domino Burleigh Domino
Thesaurario Angliæ, ac etiam charissimis consanguineis
& Consiliariis suis, Edwardo Comiti Lincoln.
magno Admirallo suo Angliæ, Thomæ Comiti Suf-
sex Domino Camerario suo; Necnon charissimis
consanguineis suis Philippo Comiti Arundell, Hen-
rico Comiti Northumbr. Henrico Comiti Darby,
Willielmo Comiti Wigorn. ac etiam charissimis con-
sanguineis & Consiliariis suis, Henrico Comiti Hun-
tingdon, Domino Præsidenti Concilii sui in parti-
bus Borealibus, Ambrosio Comiti Warwici Magistro
Ordinationum suarum, Francisko Comiti Bedford;
Charissimis consanguineisq; suis, Henrico Comiti
Pembroke, Edwardo Comiti Hertford; ac Cha-

rissimo consanguineo & Consiliario suo Roberto Co-
miti Leicestr. Magistro Equorum suorum, ac etiam
charissimo consanguineo suo Anthonio Vicecomiti
Mountague; necnon reverendis in Christo Patribus
Johanni Episcopo London. Johanni Episcopo Saris-
burien. Johanni Episcopo Roffen. ac etiam prædi-
lectis & fidelibus suis Willielmo Domino Cobham,
Domino Gardiano Quinq; Portuum suorum, Pere-
grino Domino Willoughby, Gregorio Domino
Dacre, Edwardo Domino Stafford, Johanni Do-
mino Lumley, Frederico Domino Windesor, Tho-
mæ Domino Wentworth, Lodovico Domino Mor-
dant, Henrico Domino Cromwell, Carolo Domino
Howard de Effingham, Rogero Domino North,
prædilecto & fideli Consiliario suo Henrico Domino
de Hunfdon, Domino Gardiano Marchiarum Ori-
entalium versus Scotiam; ac prædilectis & fide-
libus suis Thomæ Domino Buckhurft, Henrico Do-
mino Compton, Henrico Domino Cheyney de
Tuddington, & Henrico Domino de Norris de
Ricott, salutem. Cum nuper pro quibusdam arduis
& urgentibus negotiis, Nos statum & Defensionem
Regni nostri Angliæ ac Ecclesiæ Anglicanæ concer-
nentibus, præsens hoc Parliamentum nostrum apud
Civitatem nostram Westmonasterii octavo die Maii,
Anno regni nostri 14^o inchoari & teneri ordinave-
rimus; à quo die idem Parliamentum nostrum tunc
& ibidem tentum & continuatum fuerat usq; trice-
simum diem Junii tunc prox. sequentem; Eodemq;
die idem Parliamentum nostrum post diversas Pro-
rogationes, usq; octavum diem Februarii, Anno
regni nostri 18^o Prorogatum fuerat; ac ibidem tunc
tentum & continuatum fuerat usq; 15 diem Martii
tunc prox. sequentem; Eodemq; die idem Parlia-
mentum nostrum post diversas Prorogationes, usq;
ad & in 16 diem Januarii, Anno Regni nostri vi-
cesimo tertio, Prorogatum fuerat; ac ibidem tunc
tentum & continuatum fuerat usq; 18 diem Martii
tunc prox. sequentem; Eodemq; die idem Parlia-
mentum nostrum usq; ad & in 24 diem Aprilis tunc
prox. sequentem, Prorogatum fuerat; Eodemq; die
Parliamentum nostrum ad & in 29 diem Maii tunc
prox. sequentem, Prorogatum fuerat; Eodemq; die
Parliamentum nostrum usq; ad & in 12 diem Junii
tunc prox. sequentem, Prorogatum fuerat; Eodemq;
die idem Parliamentum nostrum usq; ad & in 28
diem ejusdem Mensis Junii tunc prox. sequentem,
Prorogatum fuerat; Eodemq; die idem Parliamen-
tum nostrum usq; ad & in 26 diem Julii tunc prox.
sequentem, Prorogatum fuerat; Eodemq; die idem
Parliamentum nostrum usq; ad & in 21 diem Au-
gusti tunc prox. sequentem, Prorogatum fuerat;
Eodemq; die idem Parliamentum nostrum usq; ad
& in quintum diem Octobris tunc prox. sequentem,
Prorogatum fuerat; Eodemq; die idem Parliamen-
tum nostrum usq; ad & in 23 diem Novembris
tunc prox. sequentem, Prorogatum fuerat; Eodemq;
die idem Parliamentum nostrum usq; ad & in quin-
tum diem Decembris tunc prox. sequentem, Pro-
rogatum fuerat; Eodemq; die idem Parliamentum
nostrum usq; ad & in 18 diem Januarii tunc prox.
sequentem, Prorogatum fuerat; Eodemq; die idem
Parliamentum nostrum usq; ad & in 12 diem Febru-
arii tunc prox. sequentem Prorogatum fuerat; Eo-
demq;

demq; die idem Parliamentum nostrum usq; ad & in 12 diem Martii tunc prox. sequentem, Prorogatum fuerat; Eodemq; die idem Parliamentum nostrum usq; ad & in 26 diem Aprilis tunc prox. sequentem, Prorogatum fuerat; Eodemq; die idem Parliamentum nostrum usq; ad & in 26 diem Maii tunc prox. sequentem, Prorogatum fuerat; Eodemq; die idem Parliamentum nostrum usq; ad & in decimum diem Octobris tunc prox. sequentem Prorogatum fuerat; Eodemq; die idem Parliamentum nostrum usq; ad & in 29 diem Novembris tunc prox. sequentem, Prorogatum fuerat; Eodemq; die idem Parliamentum nostrum usq; ad & in 24 diem Januarii tunc prox. sequentem, Prorogatum fuerat: Nec non idem Parliamentum nostrum à prædicto 24 die Januarii usq; ad & in instantem 19 diem Aprilis Prorogatum fuerat ibidem tenend. & prosequend. Sciatis tamen certis urgentibus causis & considerationibus nos specialiter moventibus, de fidelitate igitur, prudentia & circumspectione vestris plurimum confidentes, de avisamento & assensu Concilii nostri, assignavimus vos Commissionarios nostros, dantes vobis triginta & quatuor, triginta & tribus, triginta & duobus, triginta & uni, triginta,

& novem viginti, & octo viginti, & septem viginti, & sex viginti, & quinq; viginti, & quatuor viginti, & tribus viginti, & duobus viginti, & uni viginti, viginti, novemdecim, octodecim, septemdecim, sexdecim, quindecim, quatuordecim, tredecim, duodecim, undecim, decem, novem, octo, septem, sex, quinq; quatuor vel tribus vestrum, tenore Præsentium, plenam potestatem & auctoritatem hoc instante die Veneris, ad præsens Parliamentum nostrum nomine nostro plenarie dissolvendum; Et ideo vobis mandamus, quod circa præmissa diligenter intendantis, ac ea in forma prædicta effectualiter expleatis: Damus autem universis & singulis Archiepiscopis, Marchionibus, Comitibus, Vicecomitibus, Episcopis, Baronibus, Militibus, Civibus & Burgensibus, ac omnibus aliis quorum interest ad dictum Parliamentum nostrum conventuris, tenore Præsentium, firmiter in mandatis, quod vobis in præmissis faciend. agend. & exequend. pareant, obediant, & intendant, prout decet. In cujus rei testimonium has Literas nostras fieri fecimus Patentes. Teste me ipsa apud Westmonasterium decimo nono die Aprilis, Anno Regni nostri vicesimo quinto.

Per ipsam Reginam, &c.

THE

THE JOURNAL OF THE House of COMMONS.

A Journal of the House of Commons in the Session of Parliament holden at Westminster, Anno 23 Reginæ Eliz. Anno Domini 1580. which began there (after many Prorogations of the same) on Monday the 16th Day of January, and then and there continued until it was first Prorogued on Saturday the 18th Day of March, and was lastly Dissolved (after sixteen other Prorogations) on Friday the 19th Day of April, Anno 25^{to} Reginæ ejusdem, Anno Domini 1583.

THIS Session in Anno 23 Reginæ Eliz. Anno Domini 1580. maketh but one and the same Parliament with that in Anno 14 Reginæ Eliz. Anno Domini 1572. which was the first Session of it, and with that in Anno 18 Eliz. Reginæ Anno Domini 1575. which was the middle and second Session of the same: so that this present Assembly of the Peers and Commons of the Realm in this their great Council, was but the third and last Session of it, being one and the same Parliament as aforesaid, continued still, each after other, without any Dissolution, near upon the space of twelve years by fourscore several Prorogations, or thereabouts, viz. from Thursday the 8th day of May in the fourteenth year of the Queen, on which said Thursday it first began, until the Dissolution thereof on the 19th day of April, Anno 25 Reginæ Eliz. Anno Domini 1583. In this said third and last Session finally, besides many good Passages touching the Orders and Priviledges of the House, there fell out an unusual dispute in the same concerning the appointment of a publick Fast, which in the end occasioned her Majesties displeasure and inhibition thereof.

The Parliament began upon this present Monday the 16th day of this instant January, to which it had been last Prorogued; both the Lords and Commons did each of them Assemble and meet in their severall Houses, as at any other ordinary time without pomp or solemnity, this being as

hath been observed, no new Parliament, but the last Session of that Parliament which had been first begun on Thursday the 8th day of May in Anno 14 Reginæ Eliz. Anno Domini 1572. and continued by many several Prorogations and Adjournments unto this present Monday, at which day divers of the Knights of the Shires, Citizens of Cities, Burgeses of Burroughs, and Barons of the Ports did appear and sit down in the House of Commons; but the number of them was not great, partly by reason of sundry former Prorogations of the same Session made so near unto the days thereof appointed; and partly also for that many of the Knights, Citizens, Burgeses and Barons since the last former Sessions were changed, some by Death, and some by other occasions, and new returned in some of their places, and in some others none, which now could not sit in the House till they had first taken the Oath for acknowledging the Queens Highnesses Supremacy over all Estates within her Majesties Realms and Dominions; which as then was not done, neither could then be done because there was then no Lord Steward at all named or appointed for that purpose, according to the form of the Statute in that case made and provided.

And being so set, Sir Francis Knolles Knight Treasurer of her Majesties most honourable Household stood up, and putting the House in remembrance as well of the Death of Sir Robert Bell K^t, late Lord Chief Baron of her Highness Exchequer, their

their Speaker since the last Session, by reason whereof the House was then without a Speaker, and could not therefore proceed in any thing; as also of some course to be taken for procuring her Majesties Commandment to chuse another Speaker, he declared unto them that as it was well known by often experience and usage, that at the first Summons or beginning of a Parliament, the Order is in that case to sit still till the House be sent for to the Upper House there to receive her Highness Commandment to chuse a Speaker; so was it now uncertain what Order should be used when a Speaker dying after a former Session Prorogated, a new is to be chosen in another Session ensuing holden by such Prorogation, in which Case he said there were not many Precedents to his knowledge, albeit yet one within our Memory which was in the eighth year of her Majesties Reign, when *Richard Onslow* Esquire the Queens Majesties Solicitor was chosen Speaker in that Session *de an. 8 Regine Eliz.* which made but one and the same Parliament with the former Session held in *Anno 5 Regine ejusdem*, in which *Thomas Williams* Esq; had been Speaker, and died before the said second Session held by Prorogation in the said eighth year of the Queen; he offered a Copy of that precedent, but because Mr *Fulk Onslow* the Clerk was present sitting as Clerk, and had there his Original Book of notes, out of which the said Copy was taken, he was Commanded to read it out of his Book which was to this purpose.

But in respect it is omitted both in the foul Copy which *Fulk Onslow* now Clerk of the House of Commons took concerning the Passages of this Session of Parliament, *fol. 1. a.* and also in the fair written or perfected Copy of the Journal of this said Session (out of both which this present Journal is collected and enlarged) *fol. 106. b.* therefore (it being a Precedent useful) I have supplied it out of the Original Journal-Book of the Upper House in the Parliament *de Annis 8, & 9 Regine Eliz. Anno Domini 1565.* in manner and form following, *viz.*

That on *Monday* the 30th day of *December* in the eighth year of the Reign of *Queen Elizabeth*, a new Session of Parliament being holden by Prorogation at *Westminster*, and the Knights, Citizens and Burgeses according to their usual Order and Custom meeting thereupon in the House of Commons, did there find that *Thomas Williams* Esq; their late Speaker in the first Session of this Parliament holden in the fifth year of the said *Queen Elizabeth*, was dead, and that the said Commons falling by that means into Consultation what course was fittest to be taken in respect that until a new Speaker was chosen, no business could be Entred upon or expedited in the said House, did at length all resolve as the best course to send certain of the most eminent Personages, being Members of the said House, up unto the Lords to desire likewise their advice and assistance in whatsoever their Lordships in that Case should think fittest to be done. And there-

upon their Lordships joining four Members of their House with four more of the House of Commons, did advise that with all humbleness and speed they should all jointly repair to her Majesty, and make intimation of their said Estate, and so further desire to know her pleasure therein: And her Majesty did accordingly most graciously on the next day, being *Tuesday* the first day of *October*, send her Commission under the Great Seal of *England*, directed unto the Lord Keeper, by which the said Knights, Citizens and Burgeses of the House of Commons were Authorized to Elect and chuse a new Speaker, which accordingly they did, and thereupon presented him being *Richard Onslow* Esquire the Queens Solicitor on the very next day following, being *Wednesday* the second day of *October*.

But notwithstanding this precedent, some were of opinion (although they did not utter it, because they supposed themselves not warranted to treat of any thing, much less of any dealing with the Upper House without a Speaker, or without her Majesties Commandment) that this was the only precedent that could be shewed in such manner of proceeding, and was but an innovation, and not warranted upon good grounds, but rather subject to inconvenience and peril. So first they thought it was a breach of Duty to the Queen, that we should enter into that or any other Consultation before her Majesties Pleasure known touching a Speaker.

Item there was no warrant to resolve us any thing, so that there was no person to take the Voices or moderate the Consultation.

Item those who should go on such Message, could have no good warrant to deliver it in the name of the House, when the House could treat of nothing.

Item it had some inconvenience of drawing a special Prerogative to those of the House that were of her Majesties Council from the rest of the House.

Item it had greater peril of precedent to draw the Petitions of the House to her Majesty, to be done by mediation of the Upper House; and they thought it to stand much in duty and humility to the Queen, not to presume to make such Petition, or to make difference in proceeding upon a Parliament newly Summoned, and a Session of Parliament held by Prorogation as it is used upon new Summons, so to sit still in all humility, expecting that the House should be sent for to the Upper House, there to receive her Majesties Pleasure and Commandment to chuse a Speaker; which her Pleasure might either be delivered by the Lord Chancellor in her Majesties Presence, or in her absence by Commission, as in Cases of Prorogations and such like doings is used. And for that it might be doubted how her Majesty should have notice that the Speakers place was void: it was to be Answered, that the House it self judicially hath no notice but by relation of his Death as her Majesty hath. And her Majesty hath the more certain notice,
for

for that her self had made Sir *Robert Bell* Lord Chief Baron, and so his place of Speaker void as some thought, although some others thought that the Chief Baron may be Speaker, and she had since his Death made a new Chief Baron, viz.

Nota, That this Argument doth very solidly and fully prove, that the Knights, Citizens and Burgeſſes of the House of Commons ought not at this time to have joined with the Upper House in Petitioning the Queen for liberty to chuse a new Speaker, in respect that her Majesty could not but take notice of it as well as themselves, and the rather at this present because she had first made Sir *Robert Bell* Knight their former Speaker Chief Baron of the Exchequer, by which many supposed his place of Speaker was void in the said Commons House, because he was to be called by Writ as a necessary attendant of the Upper House; and lastly, because her Majesty had now afterwards also upon his Death, made another Chief Baron in his room: by all which it appeared most plainly as is before urged, that her Majesty could not but know as well as themselves that the said place of Speaker was void.

But whether Mr *Fulk Onslow* the now Clerk of the House of Commons did conceive these reasons in his own mind, and so by communicating them unto others of the said House, and finding them to concur in the same opinion, did thereupon Enter them in the Journal-Book of this Parliament, or whether others of the House did first conceive it themselves, and utter it to him in private in the said House; yet certainly it having not been openly spoken in the House as appears by his own setting of it down, but privately muttered, it ought to have been Entred as a private opinion, and not as any part of the Journal, and to have been distinguished by being written in some other different hand, from that in which the rest of the Journal was set down or the like.

But yet notwithstanding all those foresaid reasons already set down, it was at last agreed by the greater number of the few Voices that the said Precedent should be followed which had before passed in the eighth year of her Highness Reign: And accordingly were appointed the said Mr Treasurer and Sir *James Crofts* Knight Comptroller of her Majesties most honourable Household, and *Thomas Wilson* Esquire one of her Highnesses Principal Secretaries with a convenient number of others of the House, to go to the Upper House to make Petition to the Lords for their Mediation to her Majesty for Licence to chuse a Speaker, the place being void first by the making of the said Sir *Robert Bell* to be Lord Chief Baron of the Exchequer, and lastly by his Death: which Message being by the said persons executed accordingly, and they brought Answer again to the House from the Lords, that their Lordships had appointed all the Lords of the Privy-Council, with the Marquess of *Winchester*, the Earl of *Arundell*, and the Bishop of

London, to make that Suit to her Majesty, and required to have four of this House being of her Majesties Privy-Council to join therein with them, according to the said Precedent: whereupon forasmuch as it appeared to this House that the Lords in appointing their number, had varied from the said Precedent, it was moved that likewise the number appointed by this House might also be altered, that in precedent it might remain a thing Arbitratory to the House, and that so five of this House being of the Privy-Council, should be added to the Lords, and the rather because it was then affirmed of some, that the cause why only four of the Council being of this House were appointed in the said eighth year, was for that the Lords number was then but four, and for that also there were at that time but four of the Council in this House. The now Lord Treasurer then being the one only Principal Secretary to her Majesty; but at last the said Precedent was precisely urged and followed, and the said Mr Treasurer, Mr Comptroller, and Sir *Francis Walsingham* Knight, one of her Majesties two Principal Secretaries, and Sir *Walter Mildmay* Knight Chancellor of her Highness Court of Exchequer, were appointed by this House to join with the said Lords in the said Suit to her Majesty, and Order was then also given, that this House should also daily assemble to continue the Session and attend the Answer of her Highnesses Pleasure therein.

On *Tuesday* the 17th day of *January*, some number of this House Assembled this day to attend for the causes aforesaid.

On *Wednesday* the 18th day of *January*, the Right Honourable the Earl of *Lincoln* Lord Steward of the Queens Majesties most honourable Household came into this House, and before him divers Knights, Citizens and Burgeſſes returned into this House, did openly receive and pronounce the Oath according to the form of the Statute in that case made and provided; and he did also then and there signify and declare the right Honourable Mr Treasurer, Mr Comptroller, Mr Secretary *Wilson* and Mr Chancellor of the Exchequer to be his Deputies during this Session of Parliament, that before them or any of them, all such persons as should, during this Session, be returned to be of this House, might openly receive and pronounce the said Oath accordingly, which Deputation they did then execute.

This matter of the Lord Stewards Ministring the Oath of Supremacy unto such Members of the House of Commons, as were newly Elected and returned to this new Session of Parliament, being thus transcribed out of the Original Journal-Book of the House of Commons; now follows the whole manner of the proceeding of her Majesty in giving Authority by her Commission under the Great Seal unto the House of Commons, to Elect a new Speaker, and of their receiving the said Authority, out of the Original Journal-Book of the House of Lords, in respect that the same is

but

but shortly and imperfectly set down in the Original Journal-Book of the said House of Commons.

This foresaid *Wednesday* Morning the Knights, Citizens and Burgeses of the House of Commons (being mindful of the great business of the Election of a new Speaker, which they had treated of on *Monday* foregoing being the 16th day of this instant *January*) repaired to the Upper House commonly called the Parliament Chamber, where being Assembled with the Lords, those noble Personages and others who had been appointed to repair unto the Queen on *Monday* foregoing, signified her Majesties Pleasure unto all the Lords and Commons there present concerning the Choice of a new Speaker by the Members of the House of Commons. And thereupon the Lord Chancellor shewed forth a Commission under the Broad Seal of *England*, which he Commanded the Clerk openly to read; the tenor whereof was as followeth.

E *Lizabeth*, &c. To our Right Trusty and Right well Beloved Counsellor Sir *Thomas Bromley* Knight, Lord Chancellor of *England*, Greeting. Whereas in the beginning of this our present Parliament holden at *Westminster* the eighth day of *May* in the fourteenth year of our Reign, the Knights, Citizens and Burgeses being Assembled in the same Parliament were Commanded by us to go to their accustomed place, and there to chuse to themselves one to be their Speaker according to the accustomed manner: Whereupon the same Knights, Citizens and Burgeses did Elect and Chuse one *Robert Bell* Esq; afterwards Knight, and Chief Baron of our Exchequer now deceased to be their Speaker, and the same their Election did afterwards certifie unto us; which Election we did allow and ratifie: since which time this our present Parliament hath been continued by divers Prorogations until the 8th day of *February* in the eighteenth year of our Reign, at which time the said Parliament was holden and continued from the said 8th day of *February* until the 15th day of *March* then next following, from which time also the said Parliament hath continued by divers and sundry Prorogations until the 16th day of *January* in this present twenty third year of our Reign. At which day the Lords Spiritual and Temporal, and also the said Knights, Citizens and Burgeses have declared unto us that the said *Robert Bell* since the last Session of this present Parliament is dead, and thereupon have made their humble Suit and Petition to us, that they might have Licence and Commandment from us to proceed to Elect amongst themselves one other to be their Speaker for the rest of this present Parliament yet to come. Wherefore we having certain and perfect knowledge that the said *Robert Bell* is dead as they have alledged, and considering their humble Petition and Request is very meet and necessary to be granted, have appointed and Constituted you, and by the these Pre-

sents we do Will, Command, Constitute and Appoint you for us and in our Name to Call the said Knights, Citizens and Burgeses before you and other the Lords Spiritual and Temporal Assembled in this our present Parliament in the Higher House of our Parliament at *Westminster*, and there present, for us and in our Name to Will and Command the said Knights, Citizens and Burgeses to resort to their accustomed place, and there to Elect and Chuse amongst themselves one sufficient and able Person to be their Speaker for the rest of this present Parliament yet to come; and after they have once made their Election, that then three or four of them for and in all their names shall signifie the same unto us; and thereupon we will further signifie our Pleasure unto them what day and time they shall present the Person Elected before us, as heretofore hath been in like Cases accustomed to be done. Wherefore our Will and Pleasure is, that you do diligently attend about doing of the premises, and execute the same with effect. In Witness whereof we have caused these our Letters Patents to be Sealed with our Great Seal. Witness our Self at *Westminster* the 16th day of *January* in the twenty third Year of our Reign.

Thus far out of the Original Journal-Book of the Upper House; now follows the continuance of this days Passages, as also of the residue of the matters handled in the House of Commons during this Session of Parliament, out of the Original Journal-Book of the same House.

At the return of such Members of the House of Commons into their own House as had been present in the Upper House during the time the recited Commission was in reading (for many of the House of Commons conceiving that their sending for to the Upper House aforesaid, being only by their own Serjeant whom they had sent up to the Lords to see if the Lord Chancellor and the rest of their Lordships were come thither or no, was no orderly giving them notice of their Lordships desires in that behalf according to former usage, in respect that the said Commons are to be sent for by) amongst the said Members as aforesaid, who had been so present in the said Upper House, Sir *Francis Knolles* Knight Treasurer of her Majesties Household, did at his return declare, that for Answer to the Suit her Majesties Commission was read to license and Command the Commons to Chuse a Speaker, and that four of this House being of the Privy-Council should make report of the Election to her Majesty, that her Highness might thereupon signifie her further Pleasure for appointing the day for presenting of him.

Mr Treasurer further declared unto the House before their proceeding to Election, that he and others had just now seen in the Upper House one that is a Member of this House, to wit Mr *John Popham*, her Majesties Solicitor General, being one of the Citizens for *Bristol*, and therefore made

made a Motion that some of this House might be sent to their Lordships with request that the said Mr *Popham* being a Member of this House might forthwith be remanded and restored to this House again, which some thought not needful to be done before the Election, and others again denying that he or any other could be Chosen Speaker except he were present himself. The Clerk was Commanded to read the said Precedent again of chusing Mr *Onslow* in the said eighth year of her Majesties Reign (which said Precedent see on Monday the 16th day of this instant foregoing) and thereupon that course being agreed upon to be followed, the said Mr Treasurer and others were sent up to the Lords to demand the restitution of the said Mr *Popham*, and brought Answer again that their Lordships had resolved he should be sent down, the rather because he was a Member of this House, and this House possessed of him before he was Solicitor, or had any place of Attendance in the Upper House. Upon relation whereof a Motion was presently made, that it was not meet or convenient to chuse a Speaker by persons that were not of the House, and withal it was thought of some that divers persons being newly returned in the places of others yet living, were not, or ought not to be accounted Members of this House. Whereupon to avoid length of Argument and the impediment of the Election, the said Mr Treasurer by the Assent of the House pronounced an Admonition, that all such as were newly returned in the places of others yet living should forbear to repair to the House till their case were further considered. Then immediately Mr *Anderfon* the Queens Serjeant at Law, and Sir *Gilbert Gerard* Knight her Highness Attorney General, brought from the Lords the said Mr *Popham* her Majesties Solicitor General, one of the Citizens for the City of *Bristol*, and restored him to this House as a Member of the same, and so departed. And then was a Motion made by Mr *Lewkenor* for Prayer to be used before the Election, that it might please God both in that and in the residue of the Proceedings of this House, to direct them with his Holy Spirit; and a form of Prayer was then read to the House by the Clerk. And then afterwards the House proceeding to the Election of a Speaker, the said Mr Treasurer first speaking did for his own part name and commend the said Mr *Popham*, alledging many good reasons and causes moving him thereunto, but still leaving nevertheless liberty without prejudice to the residue of the House to name whom they would or thought good. And thereupon the whole House with full consent of Voices agreed upon the chusing of the said Mr *Popham*; who standing up and much disabling himself in dutiful and reverend wise, and alledging for himself many reasonable causes and excuses, besought them humbly to proceed to a new Election, whereof the House did not allow; and so then was he forthwith by the said Mr Treasurer and Mr Comptroller brought up and placed in the

Chair, and order thereupon given that the House should the next day Assemble together, both to understand her Majesties Pleasure for presenting of the Speaker, and also to determine of the case of the said persons newly returned into this House in the places of others yet living.

On Thursday the 19th day of January the House again Assembled, the Speaker Elect sitting in the Chair.

The matter began to be debated touching the said Burgeses, of whom question was made the day before; and the Case was opened by Mr *Norton* a Citizen of London to the effect following, viz.

That there be Members of this House absent in her Majesties Service, as in Embassage, or in her affairs in *Ireland*, in whose place new be returned.

Item, some persons be sick of durable Diseases, as Agues, &c. and new be returned in their places.

Item, one Mr *Flowerden* was the last Session Burgess for *Castle-Rising* in *Norfolk*, and in the Vacation was sick: Upon suggestion of which sickness a Writ went to chuse a new. Whereupon Sir *William Drewry* is Chosen and returned for *Castle-Rising*, who now appeareth, and Mr *Flowerden* also. In the same Vacation one *Beaumont* a Citizen for *Normich* is sick of the Gout; upon suggestion whereof a Writ went out to chuse a new for *Normich*; Mr *Flowerden* is chosen, returned and newly sworn for *Normich*. Vide March 18th Saturday postea.

The Questions are whether such as be returned in places of persons sick, or of persons absent in the Queens Service, be Burgeses, and the old discharged. Mr *Norton* thought the old Burgeses remained, and that the said causes of sickness and service are good excuses for their absence, but no causes to remove them and to chuse new. And for this he alledged divers Precedents, as of Doctor *Dale* Embassador in *France*, and of Sir *Henry Sidney* Deputy of *Wales*, who having been formerly both of them Members of the House of Commons, and absent by reason of both their said Employments, yet when their case was once made known unto the House and there questioned, they were still retained as Members of the said House, and no new chosen, or admitted. But however although such absent Members by reason of sickness or Foreign Employment might be removed, yet that ought not to be done upon a suggestion in the Chancery, but by the Judgment of the House of Commons upon information thereof.

Mr Serjeant *Flowerden*, Mr *Robert Snagg*, Mr *Seintpoole*, and Mr Serjeant *Fleetwood* Comptroller argued to the contrary, and said; that in all these cases new are to be chosen, and the old discharged. And that it needeth not to have discharge by the Judgment of the House, but it sufficeth to make suggestion in the Chancery, and to procure a Writ thereupon for a new Election. And to question this was to discredit the Lord

Chancellor and to scandalize the Judicial Proceedings of that Court.

And it was further alledged, that not only in these before-recited Cases, but also in all others where any new Elections are to be made, if the Lord Chancellor send out a Writ upon any suggestion to chuse a new Burges in the place of an old, whether the cause be sufficient or non-sufficient to remove the old, or whether the suggestion be true or false, yet if a new be returned the House of Commons is to accept the Burges and to allow the return, and the old Burges remaineth discharged until the matter be further cleared upon the Examination and Judgment of the said House.

And according to these opinions the new Burgeses Elected and returned in places of men living, were received and allowed in the said House; Mr *Flowerden* keeping his place for *Norwich*, Sir *William Drewry* for *Castle-Rising*, Mr *Richard Herbert* in place of Mr *Pugh* for *Montgomery*, and so the like of the rest that were new Elected. *Vide* the contrary resolved *March* the 18th *postea*.

Nota, That all this was done after the Election of *John Popham* Esquire the Queens Solicitor for Prolocutor or Speaker, but before his Presentation to the Queen, or her Majesties allowance of him. The agitation of which question was doubtless either privately muttered in the House, or if it were disputed openly it was suddenly and unwarrantably done, in respect that the House of Commons have no power to determine or resolve of any thing after the Election of the Speaker, till he be presented and allowed, as may easily be Collected by all Precedents both of latter and former times. Neither did this opinion of the House thus irregularly given take any great effect, because the contrary was resolved *March* 18 *postea*.

In the mean time of those foregoing Arguments and Disputations in the House, it was signified unto the said House that her Majesties Pleasure was, that the Speaker should be presented unto her Highness on the next day following at two of the Clock in the Afternoon in the Upper House.

On *Friday* the 20th day of *January* the House Assembled together, and about two of the Clock in the Afternoon they had notice that the Queen with the Lords Spiritual and Temporal were all set in the Upper House. Whereupon the Knights, Citizens and Burgeses hasted thither with Mr *Popham* their Speaker, and being let in as many as conveniently could, and the said Speaker brought up to the Bar at the lower end of the said House by two of the most eminent Personages of the House of Commons, he there made his humble excuse, and alledged his insufficiency for discharge of his place in such manner and form as in like case is usually accustomed.

But notwithstanding his said excuse her Majesty by the Lord Chancellor signified her Allowance of him, for which the said Speaker rendred

his humble thanks, and Petitioning in the name of the House of Commons for Liberty of Speech, for free access to her Majesty, and for freedom from Arrests, according to the usual form, the Lord Chancellor by the Queens Commandment made him a gracious Answer; after which ended the Knights, Citizens and Burgeses with their said Speaker returned unto their own House.

And being come thither and the Speaker set in his Chair, one Bill according to the usual form was read, which was for the assurance of Purchasers against incumbrances.

On *Saturday* the 21th day of *January* the Litany being read by the Clerk, and the old Prayer, that was used in former Sessions, read also by the Speaker, Mr Speaker made a short Oration to the House, partly touching himself and partly touching them. For his own part acknowledging his infirmities and praying both their patience and assistance; and for them he advised them to use reverent and discreet Speeches, to leave curiosity of form, and to speak to the matter: and for that the Parliament was likely to be very short, willed them further to forbear speaking to Bills at the first reading, and not to spend too much time in unnecessary Motions or superfluous Arguments. And further desired them that they would see their Servants, Pages and Lackies attending on them kept in good order.

Which ended, a Motion was made that Mr Speaker and the residue of the House of the better sort of Calling, would always at the rising of the House depart and come forth in comely and civil sort, for the reverence of the House in turning about with a low Courtesie, like as they do make at their coming into the House, and not so unseemly and rudely to thrust and throng out as of late time hath been disorderly used; which Motion made by Sir *James Croft* Knight Comptroller of her Majesties Household, was very well liked of and allowed of all this House.

The Bill for reformation of disorders of the Clerk of the Market and his Deputies was read the first time.

Mr *Paul Wentworth* made a Motion for a publick Fast and daily Preaching; the Fast to be appointed upon some one certain day, but the Preaching to be every Morning at seven of the Clock before the House did sit; that so they beginning their proceeding with the Service and Worship of God, he might the better bless them in all their Consultations and Actions.

Sir *Francis Knolles* Treasurer of the Queens Household spake against this Motion, Mr *Thomas Cromwell* spake for it, Mr *Alford* against it, Mr *Cooke* for it, Mr Secretary *Wilson* for it, Mr Sergeant *Flowerden* for it; and Mr *Norton* shewed Precedents that there had been Fasts in *London* by Order only from the Council (by which it seemeth he intended to infer that a Parliament might much rather appoint it.)

Hereupon the House being divided, and many Arguments being spent *pro & con*, at length the said

said matter in question was put to Voices, and the better side had the greater number; for there were a hundred and fifteen Voices for it, and but a hundred against it; and so it was Ordered, that as many of the House of Commons as convenient could, should on the *Sunday* seven-night after, being the 29th day of this instant *January*, Assemble and meet together in the Temple Church there to hear Preaching and join in Prayer together with Humiliation and Fasting for the assistance of Gods Spirit in all their Consultations during this Parliament, and for the Preservation of the Queens Majesty and her Realms; and that the Preachers who should perform the work and service of that day, might be appointed by such of her Majesties Council as were of the House, to the intent that they may be discreet persons and keep convenient proportion of time, without intermedling with matter of innovation or unquietness.

This day also it was Ordered that the House should be called on *Wednesday* next being the 25th day of this instant *January* in the Afternoon, that so it might appear who did diligently intend the business of the House, and who did negligently absent themselves.

Mr *Broughton* also this Forenoon made a Motion to know the mind of the House touching his Companion or Fellow Burgeses, who now stood indicted of Felony, whether he ought to remain of the House or to forbear coming, or that a new one should be Elected in his place. Whereupon after the matter had been a while agitated and disputed of in the House, it was adjudged, that he ought to remain of the House till he were Convicted: for it may be any mans case who is guiltless to be accused, and thereupon indicted of Felony or a like Crime.

After which Judgment given by the House, Mr *Norton* did further inform them, that the Lord Chancellor willed him to signifie unto the House that this matter had been moved to him, and that a new Writ had been desired of him for the Election of another in the place of the said Burgeses; but that his Lordship had refused to yield thereunto, and had further alledged that he ought first to be removed by the Judgment of the House; and that thereupon the House signifying so much to his Lordship, he would thereupon grant a new Writ for a second Election to be made.

The Judgment of the Lord Chancellor, who was both Learned in the Laws, and had been an ancient Parliament man, was much commended by the House, and the rather, because it so opportunely concurred at this time with the Judgment of the House. Which resolution seemeth cross to that former opinion before-given in the House on *Thursday* last past the 19th day of this instant *January*, viz. that new Burgeses being returned in the place of others living were to be allowed and received in the House.

But yet I conceive that these two opinions may well stand together; for here the Lord

Chancellor was pleased not to grant a Writ for a new Election, but to stay the Judgment of the House, which was without all question the most just and safe way of Proceeding; whereas in those other before-recited Cases he had granted out Writs for new Elections upon meer suggestions; and then without all question the Burgeses returned upon those Writs are to be received into the House and must remain as Members thereof until they be again rejected by the Judgment of the House. So also it is if a Sheriff shall return one for a Knight of a Shire who was unduly or not at all Elected, yet he that is so returned remaineth a Member of the House until his said Election be declared void by the Judgment of the House. But why in the said former Case one Elected in a place of a Burgeses sick, (upon suggestion doubtless that he could not recover) should be adjudged by the House to be well Elected, and returned notwithstanding that the former Burgeses was present in the Parliament and had recovered his health, I cannot possibly guess. *Vide March 18th postea.*

January 22. Sunday.

On *Monday* the 23th day of *January* the House being Assembled did sit till eleven of the Clock without the Speaker, for that he was all that time at the Court; in which mean time the Serjeant of the House apprehended one *William Hanney* Servant to *Anthony Kirtle* of the *Middle-Temple* Gent. sitting in this House, who being none of this House, and further Examined, confessed upon his Knees that he had sitten here this present day by the space of half an hour at the least, craving pardon and alledging that he knew not the Orders of this House, and was thereupon committed to the Serjeants Custody till further Order should be taken with him by this House.

Mr Speaker coming to the House after eleven of the Clock read the usual Prayer, omitting the Litany for the shortness of time, and declared unto the House that the time was then so far spent as leisure could not then well serve them to proceed unto the reading of any Bill, and therefore willed all the House then present to meet there again on the Morrow at eight of the Clock in the Forenoon: And also that every one of the House which were then present, should give notice thereof unto all such of the residue of this House then absent as they could in the mean time happen to see or meet with, to the end that all they might likewise attend in this House at the time aforesaid accordingly.

On *Tuesday* the 24th day of *January*, Three Bills of no great moment had each of them one reading; of which the last being the Bill that Actions upon the Case shall be brought in proper Counties was read the first time.

Mr Speaker declared himself for his own part to be very sorry for the error that happened here in this House upon *Saturday* last in resolving to have a publick Fast, and sheweth her Majesties great misliking of the proceeding of this House therein, declaring it to fall out in such sort as he

before did fear it would do; and advising the House to a Submission in that behalf, further moved them to bestow their time and endeavour hereafter during this Session in matters proper and pertinent for this House to deal in, and to omit all superfluous and unnecessary Motions and Arguments, with all due regard and consideration to the Order of the House.

Mr Vice-Chamberlain declaring a Message from her Majesty to this whole House, by her Highness Commandment shewed unto them her great admiration of the rashness of this House in committing such an apparent contempt against her Majesties express Commandment very lately before delivered unto the whole House by the Lord Chancellor in her Highness name, as to attempt and put in Execution such an innovation as the same Fast without her Majesties Privy and Pleasure first known; blaming first the whole House and then Mr Speaker, and declaring her Majesties Protestation for the allowing of Fasting and Prayer, with the use and exercise thereof in her own Person; but reproving the undutiful proceeding of this House as against the duty of Subjects, did nevertheless very eloquently and amply set forth her Majesties most honourable and good acceptance of the Zeal, Duty and Fidelity of this whole House towards Religion, the Safety of her Highness Person, and the State of this Common-wealth (in respect whereof her Majesty hath so long continued this Parliament without Dissolution) declared further to the great joy and comfort of this whole House, that her Majesty nevertheless of her inestimable and Princely good Love and Disposition, and of her Highness most gracious Clemency construeth the said offence and contempt to be rash, unadvised and an inconsiderate Error of this House, proceeding of Zeal and not of the wilful and malicious intent of this House or of any Member of the same, imputing the cause thereof partly to her own lenity towards a Brother of that man which now made this Motion (Mr *Wentworth*) who in the last Session was by this House for just causes reprehended and committed, but by her Majesty graciously pardoned and restored again. And after many excellent Discourses and Dilatations of her Highness most honourable and loving care for the advancement of Religion, and the State wherein she had before signified her Prohibition to this House by the Lord Chancellor, shewed that her Highness hath already deeply consulted upon those matters in all due and needful respects, and prepared fit and apt courses to digest them, meet and ready to be delivered unto this House from her Highness by such direction as her Majesty thinketh most convenient. And so perswading this House to imploy the time about the necessary service of the Queens Majesty and of the Common-wealth, with due and grave regard to the antient Orders of this House, concludeth, that he thinketh it very meet that this whole House or some one of this House, by Warrant of the House, in the name of the said

House, do make most humble submission unto her Majesty, acknowledging the said offence and contempt, and in most humble and dutiful wise to pray remission of the same at her Highness hands, with full purpose hereafter to forbear committing of the like offence.

Mr Comptroller followed him and spake to the same effect, but urged and enforced the fault of the House with much more violence.

Mr *Nicholas St Leger* spake next, and with a great deal of discretion and moderation extenuated the said offence of the House; urging first their great affection to her Majesty, the sincerity of their intention in that Motion of the Fast; Then the imperfections and sins to which not only private men but publick States are also subject, and therefore needed to be supported by Prayer and Humiliation; And then he urged the great fault and remissness of the Bishops who suffered that most necessary Duty of Fasting and Humiliation to grow even out of use in the Church; And lastly he concluded, that he trusted that both her Majesty and all her Subjects would be ready to express their true repentance to God in humbling themselves in Sack-Cloth and Ashes.

Mr *St Poole* followed Mr *St Leger*, but spake somewhat differing from him, aggravating the fault of the House, and urging Submission.

Mr Chancellor of the Exchequer spake next, and admonished the House of their duty which they did owe to so good and gracious a Prince as her Majesty hath expressed her self to be in all this long time of her Government, and therefore urged the House to Submission.

Mr *Sackford* one of the Masters of the Requests urged the same Submission, but withal he thought it very fitting and could wish it that Mr Vice-Chamberlain who had brought the Message from her Majesty of her displeasure, might also carry the Houses Submission back again unto her Highness.

Mr *Flowerden* spake next and shewed the sincerity of his intention in speaking for the Fast, when it was first moved; but now concluded, that it was most fitting for the House to make their Submission to her Majesty.

Mr *Carleton* stood up and offered to have spoken, but was interrupted by Mr Speaker and the House.

Then Mr Speaker asked the Question, whether Mr Vice-Chamberlain should carry the Submission of the House to her Majesty, and it was agreed by the consent of the whole House.

Mr *Carleton* offered again to speak, saying with some repetition, that what he had to move was for the liberty of the House; but the Speaker notwithstanding and the House (out of a tender care as it seemeth to give no further distast to her Majesty) did stay him.

On *Wednesday* the 25th day of *January*, the Bill for Children born in *England* of Fathers that were Aliens, not to be accounted or reputed as English, was read the second time.

Mr *Crom-*

Mr *Cromwell* now upon the second reading as the Order is, spake against the Bill, Mr *Norton* for it, with Motion also that Englishmen taking Oath to the Pope or Foreign Potentates beyond Sea, for Obedience in *England*, shall have no benefit as Englishmen.

Mr *Broughton* spake against the said Bill, Sir *Francis Knolles* Treasurer of her Majesties Household spake for it, and Mr *Dalton* spake against it. Whereupon the said Bill was after the foresaid second reading (according to the course and order in that case usual and accustomed) committed to Mr Treasurer aforesaid, Mr Chancellor of the Exchequer, Doctor *Dale* one of the Masters of Requests, Mr *Norton*, Mr *Aldrich*, Mr *Aldersley*, Mr *Dalton*, Mr *Fleetwood* Recorder of *London*, and Mr Serjeant *Fenner*; who were appointed to meet on *Friday* the 27th day of *January* now next following at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr Vice-Chamberlain brought Answer from her Majesty of her most gracious acceptation of the Submission, and of her Majesties Admonition and Confidence of their discreet proceeding; with one special note, that they do not misreport the cause of her misliking, which was not, for that they desired Fasting and Prayer, but for the manner in presuming to indict a form of publick Fast without Order and without her Privity, which was to intrude upon her Authority Ecclesiastical.

Sir *Walter Mildmay* spake next, and delivered a most Honourable, Grave, Wise and Honest Speech; which being not found either in the first Original draught of the Journal of the House of Commons taken by *Fulk Onslow* Esq; Clerk of the same, nor otherwise set down in one other fair transcribed Copy of the said Journal by the same Mr *Onslow's* direction then abstractedly and summarily taken; I have therefore caused it to be transcribed at large out of a Copy of the said Speech I had by me in manner and form following.

The principal cause of our Assembly here being to consult of matters that do concern the Realm, I have thought good with your patience to remember you of such things as for the weight and necessity of them I take to be worthy of your considerations. Wherein I mean to note unto you what I have conceived first of the present state we be in, next of the dangers we may justly be in doubt of, and lastly what provision ought to be made in time to prevent or resist them. These shewed as briefly as the matters will suffer, I leave them to your Judgments to proceed further as you shall find it expedient.

That our most Gracious Queen did at her first Entry loosen us from the Yoke of *Rome*, and did restore unto this Realm the most pure and holy Religion of the Gospel, which for a time was over-shadowed with Popery, is known of all the World, and felt of us to our singular Comforts. But from hence as from the Root hath

sprung that implacable malice of the Pope and his Confederates against her, whereby they have and do seek not only to trouble, but if they could to bring the Realm again into a Thralldom; the rather for that they hold this as a firm and settled Opinion, that *England* is the only settled Monarchy that most doth maintain and countenance Religion, being the Chief Sanctuary for the afflicted Members of the Church that fly thither from the Tyranny of *Rome*, as men being in danger of Shipwrack do from a raging and tempestuous Sea to a calm and quiet Haven. This being so, what hath not the Pope assailed to annoy the Queen and her State, thereby as he thinketh to remove this great obstacle that standeth between him and the over-flowing of the World again with Popery? For the proof whereof these may suffice.

The Northern Rebellion stirred up by the Pope, and the quarrel for Popery.

The maintenance sithence of those Rebels and other Fugitives.

The publishing of a most impudent, blasphemous and malicious Bull against our most Rightful Queen.

The Invasion into *Ireland* by *James Fitz Morrice*, with the assistance of some English Rebels.

The raising of a dangerous Rebellion in *Ireland* by the Earl of *Desmond* and others, intending thereby to make a general Revolt of all the whole Realm.

The late Invasion of Strangers into *Ireland*, and their fortifying it.

The Pope turned thus the venom of his Curses and the Pens of his malicious Parasites into men of War and Weapons, to win that by Force, which otherwise he could not do. And though all these are said to be done by the Pope, and in his name, yet who seeth not that they be maintained under-hand by some Princes his Confederates? And if any man be in doubt of that, let him but note from whence the last Invasion into *Ireland* came, of what Country the Ships, and of what Nation the most part of the Souldiers were, and by direction of whose Ministers they received their Victual and Furniture.

For the Pope of himself at this present is far unable to make War upon any Prince of that Estate which her Majesty is of, having lost as you know many years by the Preaching of the Gospel those infinite Revenues which he was wont to have out of *England*, *Scotland*, *Germany*, *Switzerland*, *Denmark* and others, and now out of *France* and the *Low Countries*; so as we are to think that his name only is used, and all or the most part of the charge born by others.

The Queen nevertheless by the Almighty Power of God standeth fast, maugre the Pope and all his Friends; having hitherto resisted all attempts against her, to her great honor and their great shame. As

The Rebellion in the North suppressed without effusion of Blood, wherein her Majesty may say

say as *Cæsar* did, *veni, vidi, vici*; so expedite and so honourable was the Victory that God did give her by the diligence and valour of those noble men that had the conducting thereof.

The Enterprize of *James Fitz Morrice* defeated, and himself slain.

The *Italians* pulled out by the ears at *Smirwick* in *Ireland*, and cut in pieces by the notable Service of a noble Captain and Valiant Souldiers.

Neither these nor any other threatnings or fears of danger hath or doth make her to stagger or relent in the Cause of Religion, but like a constant Christian Princess she still holdeth fast the profession of the Gospel that hath so long upholden her, and made us to live in Peace twenty two Years and more under her most Gracious Government, free from those troubles that our Neighbours have felt; so as this now seemeth to be our present State, a blessed, peaceable and happy time, for the which we are most bound to God and to pray unto him for the continuance thereof.

But yet notwithstanding, seeing our Enemies sleep not, it behoveth us not to be careless, as though all were past; but rather to think, that there is but a piece of the storm over, and that the greater part of the Tempest remaineth behind, and is like to fall upon us by the malice of the Pope, the most Capital Enemy of the Queen and this State, the determinations of the Council of *Trent*, and the Combination of the Pope with other Monarchies and Princes devoted unto *Rome*, assuring our selves that if their Powers be answerable to their Wills, this Realm shall find at their hands all the Miseries and Extremities that they can bring upon it. And though by the late good Success which God hath given in *Ireland*, these lewd and malicious Enterprizes seem for a time to be as it were at a stand; yet let us be assured that neither their attempts upon *Ireland*, neither the mischiefs intended against *England* will cease thus; but if they find us negligent they will be ready with greater Forces than have been yet seen. The certain determination which the Pope and his Combined Friends have to root out the Religion of the Gospel in all places, and to begin here as their greatest impediment, is cause sufficient to make us the more vigilant, and to have a wary eye to their doings and proceedings, how smoothly soever they speak or dissemble their Friendships for the time: for let us think surely, that they have joined hands together against us, and if they can, they will procure the Sparks of the Flames that have been so terrible in other Countries, to fly over into *England*, and to kindle as great a Fire here. And as the Pope by open Hostility, as you see, hath shewed himself against her Majesty; so the better to Answer in time the purposes that he hath set down in the mean season till they may come to ripeness, he hath and doth by secret practices within this Realm leave nothing unproved, emboldening many undutiful Subjects to stand fast in their dis-

obedience to her Majesty and her Laws. For albeit the pure Religion of the Gospel hath had a free course, and hath been freely Preached now many years within this Realm by the Protection of her Majesties most Christian Government; yet such have been the practices of the Pope and his secret Ministers, as the obstinate and stiff-necked Papist is so far from being reformed, as he hath gotten Stomach to go backward, and to shew his disobedience not only in arrogant words but also in contemptuous Deeds.

To confirm them herein and to increase their number you see how the Pope hath and doth comfort their hollow hearts with Absolutions, Dispensations, Reconciliations, and such other things of *Rome*. You see how lately he hath sent hither a sort of Hypocrites, naming themselves Jesuits, a rabble of Vagrant Friars newly sprung up and running through the World to trouble the Church of God, whose principal Errand is by creeping into the Houses of men of behaviour and reputation, not only to corrupt the Realm with false Doctrine, but also under that pretence to stir up Sedition, to the peril of her Majesty and her good Subjects.

How these practices of the Pope have wrought in the disobedient Subjects of this Land is both evident and lamentable to consider. For such impression hath the estimation of the Pope's Authority made in them, as not only those which from the beginning have refused to obey, but many, yea very many of those which divers years together did yield and conform themselves in their open Actions, sithence the Decrees of that unholy Council of *Trent*; and sithence the publishing and denouncing of that blasphemous Bull against her Majesty, and sithence those secret Absolutions and Reconciliations, and the swarming hither of a number of Popish Priests and Monkish Jesuits, have and do utterly refuse to be of our Church, or to resort unto our Preaching and Prayers. The sequel whereof must needs prove dangerous to the whole State of the Commonwealth.

By this you see what cause we have justly to doubt great mischief threatned to this Realm; and therewith you may easily see also how for the preventing and withstanding of the same it behoveth her Majesty not only to provide in time sufficient Laws for the continuing of this peaceable Government, but also to be ready with Forces to repress all attempts that may be enterprized either by Enemies abroad, or by evil Subjects at home.

What difference there is between the Popes persecuting Church and this mild Church of the Gospel, hath been seen in all Ages, and especially in the late Government compared with the merciful time of her Majesties Reign; the continuance of which Clemency is also to be wished so far as may stand with Gods Honour and the Safety of the Realm: but when by long proof we find that this favourable and gentle manner of dealing with the Disobeyers and Contemners of

of Religion to win them by fair means if it were possible, hath done no good, but hath bred in them a more arrogant and contemptuous Spirit, so as they have not only presumed to disobey the Laws and Orders of the Realm, but also to accept from *Rome* secret Absolutions, Reconciliations and such like; and that by the hands of lewd Runnagates, Priests and Jesuits, harbouring and entertaining them even in their Houses, thereby showing an Obedience to the Pope, by their direction also nourishing and training up their Children and Kinsfolks, not only at home but also abroad in the Seminaries of Popery; now I say it is time for us to look more narrowly and strictly to them, lest as they be corrupt, so they prove dangerous Members to many born within the entrails of our Commonwealth.

And seeing that the Lenity of the time and the mildness of the Laws heretofore made, are no small cause of their arrogant disobedience, it is necessary that we make a provision of Laws more strict and more severe to constrain them to yield their open Obedience, at the least, to her Majesty in causes of Religion, and not to live as they list to the perillous Example of others, and to the encouraging of their own evil affected minds; but if they will needs submit themselves to the Benediction of the Pope, they may feel how little his Curses can hurt us, and how little his Blessings can save them from that punishment which we are able to lay upon them; letting them also find how dangerous it shall be for them to deal with the Pope or any thing of his, or with those Romish Priests and Jesuits, and therewith also how perillous it shall be for those seditious Runnagates to enter into the Land, to draw away from her Majesty that Obedience which by the Laws of God and Man are due unto her.

This then is one of the Provisions which we ought to take care of in this Council, whereby we may both enjoy still that happy Peace we live in, and the Pope take the less boldness to trouble us by any favour he shall find here.

The next is Provision of Forces sufficient to Answer any violence that may be offered either here or abroad; for the which you know it is requisite that her Majesty do make Preparation both by Sea and by Land.

God hath placed this Kingdom in an Island environed with the Sea as with a natural and strong Wall, whereby we are not subject to those sudden Invasions which other Frontier Countries be. One of our greatest defences standing by Sea, the number of good Ships is of the most importance for us. What the Queens Navy is, how many notable Ships, and how far behind the Navy of any other Prince, is known to all men, and therewith also it may be easily considered how great Charges be incident to the same.

Necessary also it is that her Majesty have Forces by Land sufficient to chastise the Rebels in

Ireland, and to repress any Foreign attempts either there or here. For which Services either by Land or by Sea her Majesty needeth not, as other Princes are fain to do, to entertain necessary Souldiers of Foreign Countries hardly gotten, costly and dangerously kept, and in the end little or no service done them; but may bring sufficient Forces of her own natural Subjects, ready and easy to be levied, that carry with them willing, valiant and faithful minds, such as few Nations may easily compare with. But these Forces with their Furniture and Munition, can neither be prepared nor maintained to have continuance without provision of Treasure sufficient to bear the Charge, being as you know termed of old *Nervus belli*.

This belongeth to us to consider, and that in time there be not lack of the Sinews that must hold together the strength of our Body. And because through the malice of our Enemies her Majesty is driven to keep great Forces in *Ireland* for the better suppressing of that Rebellion to her exceeding Charge, and for that also it is uncertain how sudden and how great other attempts may be; therefore in reason, our supply of that maintenance ought to be the more, especially the Wars being at this day so costly as every man in his private expence may easily judge. But lest that peradventure some may judge that the Contribution granted by us now five Years past both frankly and dutifully, might suffice for many years without any new; I dare assure you for the acquaintance I have (though I be unworthy) with those her Majesties Affairs, that the same hath not been sufficient to Answer the extraordinary Charges happened since then, especially those of *Ireland*, by the one half; but her Majesty hath supplied the rest out of her own Revenues, sparing from her self to serve the necessity of the Realm, and shunning thereby Loans upon interest as a most pestilent Cancer that is able to devour even the States of Princes. Which being so, as it is most true, we are not to think upon the charge that is past, but the good we have received by it, being by that provision well and honourably defended against the malice of our Enemies. And therefore considering the great benefit we have received, by the last payment being easily taxed and easily born, whereby we have kept all the rest in Peace; let us as provident Councillors of this State prepare again in time that which may be able to withstand the mischiefs intended against us. To do this willingly and liberally, our duty to our Queen and Country, and our Safeties move us. The love and duty that we owe to our most Gracious Queen, by whose Ministry God hath done so great things for us, even such as be wonderful in the Eyes of the World, ought to make us more careful for her preservation and security than for our own. A Princess known by long experience to be a principal Patron of the Gospel, vertuous, wise, faithful, just, unspotted in word and deed, merciful, temperate, a maintainer of Peace and Justice

stice amongst her People without respect to Persons; a Queen besides of this noble Realm, our Native Country, renowned of the World, which our Enemies daily gape to over-run, if by force or sleight they could do it; For such a Queen and such a Country, and for the defence of the Honour and Safety of them both, nothing ought to be dear unto us, that with most willing hearts we should not spend and adventure freely.

The same love and duty that we owe to our Gracious Sovereign, and to this our Native Country, ought to make us all to think upon the Realm of *Ireland* as upon a principal Member of this Crown, having continued so this four hundred Years or more. To lose that Land or any part thereof, which the Enemies seek, would not only bring with it dishonour, but also prove a thing most dangerous to *England* considering the nearness of that Realm to this, and the goodness of so many notable Havens as be there. Again to reform that Nation by planting there of Religion and Justice, which the Enemies labour to interrupt, is most godly and necessary; the neglecting whereof hath and will continue that People in all Irreligion and Disorder, to the great offence of God, and to the infinite Charge of this Realm.

Finally let us be mindful also of our safety, thereby to avoid so great dangers, not seen afar off, but imminent over our heads.

The quietness that we have by the Peaceable Government of her Majesty, doth make us to enjoy all that is ours in more freedom than any Nation under the Sun at this day: but let not that breed in us a careless Security, as though this clear Sun-light could never be darkened; but let us think certainly that the Pope and his Favourers do both envy our Felicity, and leave no practice unsought to over-throw the same. And if any man be so dull (as I trust there be none here) that he cannot conceive the blessedness of this our golden Peace, except he felt the lack of it; let him but cast his Eyes over the Seas, into our Neighbours Countries, and there behold what trouble the Pope and his Ministers have stirred against such as profess the same Religion of Jesus Christ as we do: there he may find Depopulations and Devastations of whole Provinces and Countries, over-throwing, spoiling and sacking of Cities and Towns, Imprisoning, ransoming and murdering of all kind of People; besides other infinite Calamities which the insolency of War doth usually bring with it.

From these God in his Mercy hath delivered us; but this nevertheless is the State and condition that our Enemies would see us in, if by any device they could bring it to pass; and to that end be then assured they will spare for no cost, nor leave any means unassayed.

Therefore to conclude, seeing the malice of the Pope and his Confederates are so notorious unto us, and seeing the dangers be so great, so evident and so imminent, and seeing that Preparations to withstand them cannot be made with-

out support of the Realm; and seeing that our Duties to God, our Queen and Country, and the necessity that hangeth upon our own Safeguards, be reasons sufficient to persuade us, let us think upon these matters as the weight of them deserveth, and so provide in time both by Laws to restrain and correct the evil affected Subjects, and by provision of that which shall be requisite for the maintenance of Forces, as our Enemies finding our minds so willing, and our hands so ready to keep in Order our Country, and to furnish her Majesty with all that shall be necessary, may either be discouraged to attempt any thing against us, or if they do, they may find such resistance, as shall bring confusion to themselves, honour to our most Gracious Queen, and Safety to all of us.

Mr Norton pursued the same Admonition, and required the House to proceed to a manner of executing it, which in his opinion was to appoint all the Privy-Council of this House and certain other fit Persons to consult of Bills convenient to be framed according to the said Motion to be presented to the House; which Motion also was well allowed, and Committees appointed to meet in the Exchequer-Chamber that Afternoon at two of the Clock, viz. All the Privy-Council of this House, Sir Thomas Heneage Treasurer of the Chamber, the Masters of Requests, Sir George Carie Knight Marshal, Mr Fortescue Master of the Wardrobe, Mr Recorder of London, Mr Serjeant Fenner, Mr Serjeant Fleetwood, Sir James Harrington, Sir William More, Sir Thomas Scott, Sir John Brockett, Sir Henry Radclyffe, Mr Yelverton, Mr Henry Gates, Mr Hutton, Mr Philip Sidney, Sir Henry Leigh, Mr Woolley, Sir Thomas Shirley, Sir Henry Knivett, Mr Norton, Mr Aldersey, Sir Rowland Hayward, Mr Matthew, Sir Robert Wingfield, Sir Thomas Porter, Sir Thomas Parrot, Mr John Price, Mr Aylmer, Sir George Speak, Mr Lieutenant of the Tower, Sir Thomas Cecill; Sir Arthur Bassett, Mr Crooke, Mr Robert Wroth, Mr Edward Lewkenor, Mr Thompson, Mr Layton, Mr Edward Stanhope, Mr Charles Morrison, Mr Gilbert Talbot, Mr. Edward Cary, Mr. Peter Wentworth, Mr. Sandes, Sir Robert Stapleton, Sir Nicholas St Leger, Sir James Mervin, Sir William Winter, Sir Edward Unton, Mr. Fabian Philipps, Mr. Edgecombe, Sir Henry Woodhouse, Mr. Payton and Mr. Digby.

It was Ordered that the House should be called upon Saturday next at two of the Clock in the Afternoon.

William Hannev Servant to Mr. Anthony Kirle, having on Monday the 23th day of January last past been present in the House of Commons about the space of half an hour, being no Member of it, and having been thereupon committed to the Serjeant of the House, was this Forenoon brought to the Bar by the Serjeant, who humbly upon his Knees submitted himself to the grace and favour of this House, acknowledging his fault to proceed only upon simplicity and ignorance; whereupon after some Examinations when he

he had willingly taken the Oath against the Popes Supremacy, he was remitted by the House paying his Fees.

In the Afternoon about two of the Clock the said Committees did meet in the Exchequer Chamber, where Mr *Norton* spake very well to those matters which had been propounded by Sir *Walter Mildmay* in the Forenoon, and did thereupon exhibite certain Articles to the like purpose, which were by the Committees considered and some others added unto them. And it was Ordered that Mr *Serjeant Fleetwood*, Mr *Serjeant Fenner*, Mr *Serjeant Flowerden*, and Mr *Yelverton* and Mr. *Norton* should set down the matters upon which they had there agreed, and having digested them into Articles should exhibit them at the next meeting of the Committees, which was appointed to be on *Friday* next at two of the Clock in the Afternoon.

On *Thursday* the 26th day of *January*, the Bill for avoiding of Counterfeit Instruments under Counterfeit Seals of any Office or Offices, was read the second time, and committed unto Mr. Vice-Chamberlain, Mr. Chancellor of the Exchequer, Mr. Treasurer of the Chamber, Sir *Thomas Brown*, Mr. *Sands*, Mr. *Cromwell* and Mr. *Atkins*; who were appointed to meet on *Saturday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

The Bill for avoiding of Incumbrances against Purchasers was read the second time and Ordered to be ingrossed.

The Bill that Actions upon the Case shall be brought in proper Counties was read the second time, and after sundry Arguments was upon the question committed to Sir *George Cary*, Sir *George Speake*, Mr. *Serjeant Fenner*, Mr. *Wroth* and others, who were appointed to meet this Afternoon at two of the Clock in the *Temple-Church*.

On *Friday* the 27th day of *January*, Seven Bills of no great moment had each of them one reading; of which the first being the Bill for the speedy recovery of Debts was read the first time.

The Bill for the Reformation of the Clerk of the Market, and the Proviso added unto it was read the second time, and committed unto Mr. Treasurer, Mr. Comptroller, Mr. Lieutenant of the *Tower*, Sir *Thomas St Poole*, Mr. *Grimsditch* and others, who were appointed to meet on *Monday* next in the Afternoon at two of the Clock, and the Clerk of the Market to be Licensed to attend them, and to be heard before them if he will.

The House being moved did grant that the *Serjeant* who was to go before the *Speaker* being weak and somewhat pained in his Limbs, might ride upon a Foot-Cloth Nag.

This day lastly in the Afternoon was a Motion made by Mr. *Norton* to have a Committee appointed to draw two Bills, the one against secret and stoln Contracts of Children without the consent of Parents, &c. The other against exacting upon the Clergy by Ordinaries and by under-

Collectors of Tenths, and it was committed to Sir *Walter Mildmay* and himself.

Post Meridiem.

The Committees appointed on *Wednesday* last the 23th day of this instant *January* to meet this Afternoon at two of the Clock in the Exchequer Chamber, about the framing and drawing up the two Bills of Religion and the Subsidy, met accordingly, where the Articles and heads that concerned them were appointed to Mr. *Norton* to Pen and bring to the House the next day.

On *Saturday* the 28th day of *January*, Three Bills of no great moment had each of them one reading; of which the last being the Bill for the preservation of Woods, was read the second time and committed unto Mr. Lieutenant of the *Tower*, Sir *Thomas Scott* and others, who were appointed to meet at the *Temple-Church* upon *Monday* next at two of the Clock in the Afternoon.

Two Bills also had each of them their second reading; of which the first being a Bill against the erecting of Iron-Mills near the City of *London* and the River of *Thames*, was read the second time and committed to the former Committees in the Bill for preservation of Woods.

It was Ordered that the House should be called on *Wednesday* next in the Afternoon.

The Bill touching the Defeasances of Statutes of the Staple was read the second time, and committed unto Mr. Vice-Chamberlain, Mr. Chancellor of the Exchequer, Mr. *Humfrey Gilbert*, Mr. *Sands* and others, who were appointed to meet on *Monday* next at three of the Clock in the Afternoon in the Exchequer Chamber.

The Bill for the Affize of fuel was read the second time, and committed unto the same former Committees in the Bill for Woods, and at the same time and place.

A Motion was made by Mr. *Alford*, and pursued by Mr. *St Poole* and Mr. *Snagg*, touching composition for Purveyances, and allented to have Conference by Mr. Treasurer and Mr. Comptroller on *Thursday* next.

Post Meridiem.

In the Afternoon the Committees met again in the Exchequer Chamber about the two Bills for Religion and Subsidy.

The Articles which were exhibited by Mr. *Norton* concerning the Bill of Subsidy were allowed by the Committees, and he appointed to draw the said Bill accordingly; and the Articles agreed for the rates and times of Taxations. Certificates and payment of a Subsidy and two Fifteenths.

On *Monday* the 30th day of *January*, the Bill touching Wrecks of the Sea was read the second time, and committed unto the Master of the Jewel-House, Sir *Thomas Scott*, Sir *William Winter*, Sir *William Moore*, Sir *Arthur Bissett*, Mr. *Grimsditch*, Mr. *Layton*, Mr. *Aldersee*, Mr. *Rogers*,
P p Mr.

Mr. Shirley, Mr. Boyes, Mr. Knight and Mr. Borey, who were appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

Three Bills of no great moment had each of them one reading; of which the last being the Bill for the speedy recovery of Debts was read the third time and passed upon the question.

Mr. Attorney General and Mr. Doctor Clerk did bring from the Lords two Bills, viz. An Act against slanderous words and rumors, and other seditious practices against the Queens Majesty, and an Act for avoiding of slanderous Libelling.

The Bill for avoiding of certain Incumbrances against Purchasers was read the third time.

And a Proviso to this Bill was once read and dashed upon the question, and likewise the Bill passed upon the question.

On Tuesday the 31th day of January, the Bill for the speedy recovery of Debts which passed this House yesterday, was upon Motion made to this House by Mr. Speaker upon the mistaking of this House of some part of the said Bill, amended upon the question, with interlining of these words, viz. [such and of Debts] the whole sentence wherein these interlined words are contained being thrice read, and the Bill again passed upon the question accordingly.

The two Bills sent yesterday to this House from the Lords being against seditious practising and slanderous Libelling, had each of them its first reading.

The two Bills that passed this House yesterday being for the speedy recovery of Debts, and for the avoiding of certain Incumbrances against Purchasers, were sent up to the Lords by Mr. Vice-Chamberlain, Mr. Chancellor of the Exchequer, and others.

The Bill for furniture of Armour and Weapons had its first reading.

Upon Motions made yesterday to this House by Mr. Diggs for maintenance of the Navy and Mariners, and also for a supply of Souldiers, and setting idle persons on work, and by Fishing to procure increase of Gain and Wealth to the whole State of this Realm, it is Ordered, that the consideration hereof be committed unto all the Privy-Council being of this House, and that as many of this House as are acquainted with that matter of Plot and device may attend them at their pleasure, and to meet upon Friday next at two of the Clock in the Afternoon in the Exchequer Chamber.

The Bill for punishing of unlawful having two Wives at once; was read the second time, and committed to Mr. Doctor Dale Master of the Requests, Sir Thomas Browne, Mr. Recorder of London, Mr. Layton, Mr. Alford, Mr. Grimsditch, Mr. Newdigate, Mr. Snagg, Mr. Thomas Bowyer and Mr. Greenfeild, who were appointed to meet at two of the Clock in the Afternoon upon Saturday next in the Exchequer Chamber.

On Wednesday the first day of February, Two

Bills of no great moment had each of them one reading; of which the first being the Bill touching Partition of Lands between the Coheirs of John sometime Earl of Oxford, was read the first time.

Upon a Motion made unto this House by Mr. Norton, that two Porters of Serjeants-Inn in Fleetstreet have much misused him in his attending the service of this House, it is Ordered by this House that the Serjeant at Arms do forthwith fetch the same two Porters unto this House.

Mr. Chancellor of the Exchequer in the name of the residue of the Committees for the Bill against counterfeit Instruments and Seals of Offices, and of himself declared unto the House, that they have upon consideration had amongst them thought good to make a new Bill for those purposes to be offered to this House; and so delivered in both the old Bill and the new.

Three Bills also had each of them one reading; of which the third being the Bill against slanderous words and rumors, and other seditious practices against the Queens Majesty was read the second time, and an Addition offered to this Bill by Mr. Norton was once read, and with the Bill committed unto all the Privy-Council being of this House, Mr. Treasurer of the Chamber, all the Serjeants at Law of this House, and others. And the Bill was delivered to Mr. Treasurer who with the rest was appointed to meet upon Friday next at two of the Clock in the Afternoon; and the Committee for Mr. Diggs his Motions are deferred till Saturday next at two of the Clock in the Afternoon in the said Exchequer Chamber. Vide Febr. 14. following.

Nota, That here a new Addition (inserted into a Bill which had been twice read) was committed with the said Bill, although it had been read but once.

Mr. Serjeant Anderson and Mr. Dr. Barkley did bring from the Lords a Bill for avoiding of disorders and abuses in Sheriffs and Under-Sheriffs, and other like Ministers.

John Owld Porter of Serjeants-Inn in Fleetstreet and William Kenn his Servant being present here at the Bar and charged with their misbehaviour, rather excusing than submitting themselves, it is, upon good proof of their said misbehaviour testified by three Gentlemen of this House besides Mr. Norton, Ordered that both the Master and Servant be committed to the Serjeants Ward till further Order shall be taken; And that Mr. Speaker may in the mean time set the said William Kenn the Servant at Liberty, upon his Submission, if he shall so think good.

Two Bills of no great moment had each of them one reading; of which the second being the Bill against the multitude of common Inns and Ale-Houses, was read the first time and rejected.

It is Ordered, that Mr. Speaker in the name of this House do require the Warden of the Fleet, being a Member of this House, that he do cause from

from henceforth two of his Servants to attend at the Stair-head near unto the outer Door of this House, and to lay hands upon two or three of such disordered Serving-men or Pages as shall happen to use such lewd disorder and outrage as hath been accustomed to be exercised there this Parliament time, to the end they may thereupon be brought into this House and receive such punishment as to this House shall seem meet.

On *Thursday* the second day of *February* it seemeth that neither House sate, for in the Journal of the House of Commons there is no mention at all of the day or of any passages in it; And that the Upper House sate not it is most certain, for on the *Wednesday* foregoing, being the first day of this instant *February*, Sir *Thomas Bromley* the now Lord Chancellor Adjourned the Parliament unto *Saturday* following, being the 4th day of this instant Month.

On *Friday* the third day of *February*, Eight Bills of no great moment had each of them one reading; of which the seventh being the Bill against slanderous Libelling, was upon the second reading committed to M^r Vice-Chamberlain, M^r Chancellor of the Exchequer, M^r Chancellor of the Dutchy, Sir *Henry Knivett*, M^r Attorney of the Dutchy, M^r Serjeant *Fenner* and others, to meet in the Exchequer Chamber at two of the Clock in the Afternoon.

M^r Treasurer brought in a Bill touching Children of Strangers born in *England*, and a new Bill devised by the Committees for that purpose, which Bill had its first reading.

John Owld Porter of *Serjeants-Inn* in *Fleetstreet*, who on *Wednesday* last past being the first day of this instant *February*, had been by Order of this House committed to the Serjeants Ward for his miscarriage towards M^r *Norton* a Member of this House, being this day brought to the Bar, upon his humble submission and acknowledgment of his fault was set at liberty paying his Fees.

On *Saturday* the 4th day of *February*, Six Bills had each of them one reading; of which the third being the Bill for Cloths called *Tauntons*, *Bridgewaters* and *Charde*, was upon the second reading committed unto M^r Chancellor of the Exchequer, Sir *George Speake*, Sir *William Moore*, M^r *Norton* and others, who were appointed to meet on *Wednesday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

Sir *Thomas Scott* one of the Committees in the Bill for preservation of Woods, offered a new Bill for that purpose to this House, drawn by the privy and assent of himself and of the residue of the said Committees.

M^r Serjeant *Anderfon* and M^r Doctor *Clark* did bring word from the Lords, that their Lordships do require a Conference with some of this House in the Council Chamber at the Court on *Tuesday* next in the Afternoon, touching the Bill passed this House for avoiding of certain Incumbrances against Purchasers. Whereupon are appointed

all the Privy-Council being of this House, Sir *Thomas Sampoole*, M^r Attorney of the Dutchy, M^r Recorder of *London*, M^r Serjeant *Flowerdewe*, M^r Serjeant *Fenner*, M^r *Colbie*, M^r *Telverton*, M^r *Sands* and M^r *Dalton*.

The Bill for reformation of disorders in Sheriffs, &c. was read and committed to M^r Vice-Chamberlain, M^r Comptroller, M^r Chancellor of the Exchequer, M^r *Osborne* and others, who were appointed to meet at the Exchequer Chamber upon *Thursday* next at two of the Clock in the Afternoon, and withal to consider of the former Bills of like effect offered to this House now or heretofore.

Upon a Motion made to this House by M^r *Norton*, in which he declared that some person of late had caused a Book to be set forth in print, not only greatly reproachful against some particular good Members of this House of great Credit, but also very much slanderous and derogatory to the general Authority, Power and State of this House, and prejudicial to the validity of the Proceedings of the same, in making and establishing of Laws, charging this House with Drunkenness as Accompanied in their Councils with *Bacchus*, and then also with *Choler*, as those which had never failed to *Anticyra*, and the Proceedings of this House to be *opera tenebrarum*; and further that by the circumstance of the residue of the Discourse of the said Book he conjectured the same to be done and procured by Mr. *Arthur Hall* one of this House, and so prayed thereupon the said Mr. *Hall* might be called by this House to Answer, and the matter further to be duly examined as the weight thereof, in due consideration of the gravity and wisdom of this House and of the Authority, State and Liberty of the same requireth. It is resolved that the said Mr. *Hall* be forthwith sent for by the Serjeant at Armes attending upon this House, to make his appearance here in that behalf accordingly.

And then immediately Mr. Secretary *Wilson* did thereupon signifie unto this House, that the said Mr. *Hall* had upon his Examination therein, before the Lords of the Council, heretofore confessed in the hearing of the said Mr. Secretary, that he did cause the said Book to be printed indeed; Upon relation whereof and after some Speech then also uttered unto this House by Mr. Chancellor of the Exchequer, of the dangerous and lewd contents of the Book, the Serjeant was forthwith by Order of this House sent to apprehend the said *Arthur Hall*, and presently assisted for that purpose with Sir *Thomas Scott* and Sir *Thomas Browne*, by the appointment of this House.

A Commission was also given by this whole House unto Mr. Vice-Chamberlain, Mr. Chancellor of the Exchequer, Mr. Secretary *Wilson*, Mr. Treasurer of the Chamber, Sir *Henry Lea*, Sir *Thomas Cecill*, Sir *William firz Williams*, and Sir *Henry Gate*, to send for the Printer of the said Book, and to examine him touching the said

matter, and afterwards to make report thereof to this House accordingly. And also to take Order and advice further for the sending for and apprehending of the said *Arthur Hall*, if it should so fall out that he did withdraw himself or depart out of Town before such time as the said Serjeant could find him; with this further Resolution also, that any such Member of this House as should happen first to see him or meet him, might and should in the name of this whole House stay him and bring him forth to Answer the said matter forthwith before the whole House with all possible speed. *Vide* concerning this matter on *Wednesday* the 14th of this instant *February* following, and also on *Saturday* the 18th day of *March* next following.

On *Monday* the 6th day of *February* the Bill for ratifying of an award for certain Copyholders in the County of *Worcester*, and the Bill for Partition of Lands amongst the Coheirs of the late Lord *Latimer*, were each of them read the second time and committed unto Mr Recorder of *London*, Mr. Serjeant *Fenner*, Mr. *Sands*, Mr. *Grevill*, Mr. *Christmas*, Mr. *Boyes*, Mr. *Cromwell*, and Mr. *Newdigate*.

Mr. *Henry Knolles* the younger and Mr. *Townesend* were appointed to be with Mr. Speaker at this House at two of the Clock this Afternoon to examine the matter of Outlawry pretended against *Walter Vaughan* Esquire, Knight for the County of *Caermarthen*; And that the said Mr. *Vaughan* be then there present to Answer therein for himself as well as he can, and the said Committees to make report unto this House of the state of the Case, to the end this House may thereupon proceed to order accordingly. *Vide* concerning this matter on the 18th day of this instant *February* following.

Mr. Secretary *Wilson* declaring the travel of the Committees in Examining of the Printer that did Print Mr. *Halls* Book, signified unto this House, that the said Printer, whose name is *Henry Bynnyman*, upon his Examination before the Committees said, that one *John Wells* a Scrivener in *Fleetstreet* did deliver the written Copy to him; and when the Book was Printed he delivered one Book to *Henry Shirland* in *Fridaystreet* Linnen-Draper, to be sent to Mr. *Hall*, and that afterwards about a year past he delivered to Mr. *Hall* six of the said Books, and at *Michaelmas* Term last six other of the said Books, and one more to Mr. *Halls* man shortly after; and said, that Mr. *Hall* promised to get him a Privilege, whereupon he adventured (he saith) to Print the Book, and saith that the Copy was written by *Wells* the Scrivener, and that he received of the said *Shirland* Linnen-Cloth to the value of 6^l 13^s 4^d. for Printing the said Book. And that he staid of his own accord the publishing of the said Books till he were paid, where Mr. *Hall* was contented that they should have been put to sale presently. Which report so made by Mr. Secretary, and withal that Mr. *Hall* and the Printer were both then at the Door, the said

Mr. *Hall* thereupon was brought to the Bar, and being charged by Mr. Speaker in the behalf of the whole House, with the setting forth the said Book containing very lewd and slanderous reproach, not only against some particular Members of this House, but also against the general State and Authority of this whole House, denied not the setting forth of the said Book, protesting the same to be done by him without any malicious intent or meaning, either against the State of this House, or against any Member of the same; praying this whole House (if he had offended in so doing) they would remit and pardon him; affirming withal very earnestly that he never had any more than one of the said Books: and upon due consideration of his own rashness and folly therein, willed that all the said Books should be suppressed, and then was Mr. *Hall* sequestred.

Henry Bynnyman the Printer was brought to the Bar, who affirmed in all things as Mr. Secretary *Wilson* before reported; and further, that he had Printed fourscore or an hundred of the said Books, and was thereupon sequestred.

Henry Shirland was brought to the Bar, who there confessed that Mr. *Hall* did write a Letter unto him and sent the said Book unto him, willing him to get it Printed. And that thereupon he delivered the Book to the said *Bynnyman* to have it Printed, *Wells* the Scrivener being present with him; and said further that Mr. *Hall* had paid him again the twenty Nobles which he before had paid the Printer; and so he was then sequestred.

And the said *Wells* brought to the Bar upon his Examination saith, that when he was Apprentice with one Mr. *Dalton* a Scrivener in *Fleetstreet*, the said Mr. *Hall* lying then about *Pauls-Wharf*, sent unto his said Master to send one of his Men unto him, and that thereupon his said Master sent him unto the said Mr. *Hall*, who when he came delivered to him a Book in written hand, willing him to carry it home with him and Copy it out, and said, that when he had shewed it to his Master, his Master Commanded him to write part of it, and his Fellows some other part of it; and his said Master as he remembreth did write the rest of it. What his Master had for the writing of it, he knoweth not. And being further Examined saith, that yesterday last past he delivered one of the said Books to Sir *Randal Brier-ton* from the said Mr. *Hall*, and then the said *John Wells* was sequestred. And afterwards all the Privy-Council being of this House, Mr. Knight Marshal, Mr. Recorder of *London*, Mr. Serjeant *Flowerdewe*, Mr. *S^t Leiger*, Mr. *Cromwell*, Mr. *Atkins* the Master of the Jewel-House, Sir *Thomas Browne*, Sir *Thomas Scott*, Mr. *Nathanael Bacon*, Mr. *Beale*, Mr. *Norton* and Mr. *Alford*, were added to the former Committees for the further proceeding to the Examination of the matter touching Mr. *Hall* the Printer, the Scrivener and all other persons, Parties or privy to the publishing of the said Book, set forth in
Print

Print by the means and procurement of the said Mr. Hall, and to meet upon *Wednesday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

Which done Mr. Hall being brought to the Bar again, Mr. Speaker declared unto him that this House mindeth further to examine the particularities of the matter wherewith they have charged him, and do therefore commit him to the Serjeants Ward with this Liberty, that upon *Wednesday* next in the Afternoon being accompanied with the Serjeant he may attend at the Exchequer Chamber upon the Committees in the Cause, and was thereupon had out of the House.

Henry Bynnyman the Printer, John Wells the Scrivener, and Henry Shirland Linnen-Draper being brought all three to the Bar, were by Mr. Speaker enjoined in the name of the whole House to give their attendance upon the said Committees at the time and place aforesaid, and also at all times in the mean season thereof if they shall happen to be called by them or any of them, and so were had out of the House.

And further it is Ordered by this House, that Mr. Speaker do send the Serjeant for John Dalton late Master of the said John Wells, and to charge him also to attend upon the said Committees at the said time and place in like manner. *Vide* concerning this matter on *Tuesday* the 14th day of this instant *February* following.

On *Tuesday* the 7th day of *February*, the Bill for the Cloth-Workers of *London* was read the second time and committed to the former Committees in the Bill for Cloths called *Tauntons* and *Bridgwaters* (who were appointed on *Saturday* the 4th day of this instant *February* foregoing.)

Mr. Treasurer one of the Committees for the great causes, brought in a Bill for restraint of disobedient Subjects, and also Articles for the granting of the Subsidy, which Articles were then read by the Clerk, and agreed by the whole House to be delivered by Mr. Speaker to Mr. Attorney General, to draw a Bill according to the same Articles, to be read and passed in this House accordingly.

Upon a Motion made by Mr. Norton it is Ordered, that such persons as shall be appointed by this House at any time to have Conference with the Lords, shall and may use any reasons or persuasions they shall think good in their discretions, so as it tend to the maintenance of any thing done or passed this House before such Conference had and not otherwise. But that any such persons shall not in such wise yield or assent to any such Conference to any new thing there propounded, until this House be first made privy thereof, and give such Order.

The Bill that Children of Aliens not being Denizens and born in *England* shall not be reputed English, was read the third time, and after many Arguments committed unto Mr. Vice-Chamberlain, Mr. Chancellor of the Exchequer,

Mr. Serjeant *Flowerdewe*, Mr. Sands, Mr. Cromwell, Mr. Dalton, Mr. Comper and Mr. Norton, to set down in Paper such words for amendment unto the said Bill against to Morrow Morning, to be offered unto this House for their better satisfaction of passing of the same Bill as may Answer the meaning and intent of this House gathered upon the said Arguments accordingly.

On *Wednesday* the 8th day of *February*, Three Bills of no great moment had each of them one reading; of which the third being the Bill touching Kersies, defaults of Weavers and the abuses of Searchers and Alneagers, was read the second time and committed to the former Committees, and Sir John St Leger, and Sir Arthur Bassett, were added to the same former Committees.

The Bill for Obedience to the Queens Majesty against the See of *Rome* was read the first time, and then ----

Upon a Motion made by Mr. Vice-Chamberlain that the Lords have a Bill once read amongst them in the Upper House, much tending to many of the things contained in this Bill, and that therefore he thought good (if the House should so like of it) that a Committee of this House were appointed to have Conference with the Lords in those matters, which course he thought would much expedite and further the good proceedings and meanings both of their Lordships and also of this House in that behalf; It is agreed upon the Question by the whole House, that all the former Committees which travelled in the drawing of the said Bill last read in this House, should likewise be appointed for the said Conference, and that all the Privy-Council being of this House, with a convenient number of others, should now presently repair unto the Lords to pray the said Conference in the name of this whole House. Whereupon Mr. Treasurer, Mr. Vice-Chamberlain, Mr. Chancellor of the Exchequer and Mr. Secretary *Wilson*, with divers others of this House went up to the Lords, and brought Answer again, that they had delivered unto their Lordships the Message of this House which they had in Charge, and that their Lordships Answered they would consider of the request of this House therein, and then make further Answer.

Mr. Comptroller declared that he and divers others of the Committees appointed to have Conference with the Lords yesterday in the Afternoon at the Court, touching the Bill before-passed in this House for avoiding of certain Incumbrances against Purchasers, were there present with their Lordships, and that their Lordships upon the Conference liked well of the intent and meaning of this House in the said Bill; but that their Lordships were of opinion that it were meet to have some other words added to the said Bill, the better to explain and carry the effect of the intent of the said Bill, as (said he) those of the said Committees towards the Law could better declare. Whereupon after some further Speeches thereof used by Mr. Serjeant *Flowerdewe* and Mr. Serjeant

Serjeant *Fenner*, the said Serjeants were further advised and required, that as of themselves and not by appointment of the House they should offer some such course of amendment thereof to their Lordships as might give good furtherance to the passing of the said Bill.

Three Bills of no great moment had each of them one reading; of which the last being the Bill for Examination of Witnesses in Towns Corporate was read the first time.

Mr Serjeant *Anderson* and Mr. Doctor *Clark* did bring word from the Lords that their Lordships upon the request made unto them by this House, have appointed eighteen of themselves to meet at the Court this Afternoon in the Council Chamber immediately after Dinner, to have Conference with such of this House as it shall please this House to appoint for that purpose to meet there with them touching matters of Religion. Whereupon all the said former Committees of this House were Commanded to give their attendance this Afternoon at the Court for that purpose accordingly.

And it is Ordered, that Mr *Halls* matter be Examined by the Committees to Morrow in the Afternoon, for that the same cannot be dealt in this day by reason of the Conference to be had with the Lords this Afternoon at the Court touching matters of Religion. *Vide February 14.* being *Tuesday* following.

The Bill for ratifying an Award for certain Copyholders in the County of *Worcester*, and the Bill for Partition of Lands between the Coheirs of the late Lord *Latimer*, are appointed to be considered of by the Committees upon *Friday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

It is Ordered that three Bills touching Cloths which are before committed all to one Committee be deferred until to Morrow next at two of the Clock in the Afternoon in the Exchequer Chamber.

Further day is given to the Committees in the Bill against Libelling till *Friday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

Upon Declaration this day made by Mr. Speaker unto this House touching the Case of Mr *Walter Vaughan* Knight for the County of *Caermarthen* supposed to be out-lawed, that upon Examination had by the Order and appointment of this House of the Actions brought against him in the same Suits it appeareth that they were all grown by Suretiship for other persons and not for his own debts or causes, and withal that yet nevertheless he had to his own great charge and hindrance very honestly compounded and taken order for all or the most part of them already; It was then agreed by the whole House that he should stand and continue as in his former Estate of the good opinion of this whole House sufficiently purged and discharged of the said suspicions before in Question. *Vide* concerning this mat-

ter on *Monday* this 6th day of this instant *February* foregoing.

On *Thursday* the 9th day of *February*, the Bill against unlawful Hunting of Conies was read the second time and committed unto Mr Lieutenant of the Tower, Sir *Thomas Scott*, Sir *Thomas Browne*, Sir *William Moore*, Mr *Crooke*, Mr *Tilney*, Mr *Newdigate* and Mr *Cowper*, to consider presently of the Bill in the Committee Chamber of this House.

Three other Bills also of no great moment had each of them one reading; of which the last being the Bill for addition for paving the street without *Aldgate* was read the second time and committed to Mr Secretary *Wilson*, Mr Lieutenant of the Tower, Sir *William Winter*, Sir *Rowland Hayward*, Mr *Robert Wroth* and Mr *Aldersey*, who were appointed to meet on *Saturday* next at two of the Clock in the Afternoon at the Court in Mr. Secretaries Chamber.

Mr. Doctor *Lewes* and Mr. Doctor *Gibbon* did bring from the Lords a Bill touching the Hospital of *Ledbury* in the County of *Hereford*.

Two Bills of no great moment had each of them one reading; of which the second being the Bill for Explanation of the Statute against the forging of Deeds and Evidences, &c. was read the second time and Ordered to be ingrossed.

Mr. Treasurer moved that the Committees of this House, which were yesterday with the Lords, might meet together at two of the Clock this Afternoon in the Exchequer Chamber.

The Bill against counterfeit Instruments and counterfeit Seals of Offices was read the third time; and after many Arguments both against the Bill and with the Bill was referred to further Argument till to Morrow next.

On *Friday* the 10th day of *February*, Six Bills of no great moment had each of them one reading; of which the first touching Gavelkind Land within the City of *Exeter*, and the last being the Bill for granting of one Subsidy, two Fifteenths and Tenths, had each of them their first reading.

On *Saturday* the 11th day of *February*, Three Bills of no great moment had each of them one reading; of which the second being the Bill for the true making of Woollen-Cloths, and the Bill for the abolishing of certain deceitful stuffs used in dying of Cloths were each of them read the second time and committed to the former Committees for Cloths, who were appointed on *Saturday* the 4th day of this instant *February* foregoing.

After sundry further Arguments upon the Bill touching counterfeit Seals, it was upon the Question Ordered that Committees be appointed to consider of the Bill as it standeth only in the matter of the Seals of Corporations to be holpen with a Proviso. And thereupon also Authority was given unto the former Committees, and unto Mr. *Thomas Sampoole*, Sir *Thomas Scott*, Mr. Recorder, Mr. *Carleton*, Mr. *Norton*, Mr. *S^r Leiger*, Mr.

Mr. *Lewkenor*, Mr. *Cromwell* and Mr. *Atkins*, who were appointed to meet upon *Monday* next in the Morning at seven of the Clock in the Committee Chamber of this House.

The Bill for Explanation of the Statute for forging of Evidences and Writings was read the third time and passed upon the Question, after the amendment of certain words likewise three times read.

Four Bills also of no great moment had each of them one reading; of which the last being the Bill against inordinate selling of Wooll and Yarn, was read the second time and committed unto Sir *Thomas Bointon*, Sir *William Moore*, Mr. *George Speak*, Mr. *Layton*, Mr. *Keale* and others, who were appointed to meet at two of the Clock this Afternoon at the *Guild-Hall*.

Mr. *Cromwell* one of the Committees in the Bill for ratification of an award for certain Copyholders in the County of *Worcester* (who were appointed on *Monday* the 6th day of this instant *February* foregoing) brought in the Bill with the amendment of one Letter in a mans name, viz. *Dallowe* for *Ballowe*, and also with an Addition of a general saving. Which being twice read, the Bill upon the Question was Ordered to be ingrossed.

Mr. Secretary *Wilson* one of the Committees for the paving of a Street without *Aldgate* (who were appointed on *Thursday* the 9th day of this instant *February* foregoing) brought in the Bill; which being amended in these words put out, viz. [the same] and these words put in, viz. [the lately paved] which words being twice read, the Bill was upon the Question Ordered to be ingrossed.

The new Bill against the Erecting of Iron Mills near the City of *London* and River of *Thames* was read the first time.

Mr. Serjeant *Anderson* and Mr. Doctor *Barkley* did bring word from the Lords, that their Lordships do desire that the Committees of this House appointed to meet with their Lordships in the Bill for Religion, do meet with them to Morrow at two of the Clock in the Afternoon in the Star-Chamber. Whereupon the House being moved, it was resolved they should so do, and so it was Answered unto the said Mr. Serjeant *Anderson* and Mr. Doctor *Barkley* accordingly.

Mr. Serjeant *Anderson* and Mr. Doctor *Clark* did bring from the Lords a Bill touching the fortifying of the Borders towards *Scotland*.

After sundry Arguments made to the Bill last read, it is upon the doubtfulness in the Answer to the Question resolved upon the Division of the House, that the Bill to be drawn by the Committees shall contain the number of eighteen Miles distant from the City of *London* by the difference of forty three persons.

And upon another Question clearly resolved that the same Bill so to be drawn shall contain but eight Miles from the River of *Thames*.

And upon another Question it is Ordered, that

the House be called upon *Thursday* next at two of the Clock in the Afternoon.

Nota, That there is no mention made of *Monday* the 13th day of this instant *February*, or of any Passages thereof in the House of Commons in the Original Journal-Book of the same House; and it may thereupon be very probably concluded, that the said House sate not upon the said day, which may seem the more strange also because the Lords of the Upper House did sit.

On *Tuesday* the 14th day of *February*, the Bill for ratification of an award made between *William Hide* Esq; and *William Darrell* Esquire, was read the second time, and committed unto Mr. Chancellor of the Exchequer, Mr. Serjeant *Flowerdewe*, Mr. *Cromwell*, Mr. *Boyes* and Mr. *Norton*, and the Bill was delivered to Mr. *Norton*.

Two Bills also of no great moment had each of them one reading; of which the second being the Bill for Explanation of the Statute of 32 *H. 8.* for limitation of prescription, was read the second time, and committed unto Mr. Serjeant *Fenner*, Mr. Serjeant *Flowerdewe* and Mr. *Cromwell*, and the Bill was delivered to the said Mr. *Cromwell*.

Mr. Vice-Chamberlain for himself and the residue of the Committees appointed to Examine Mr. *Hall*, the Printer, the Scrivener, and all other persons privy to the setting forth and publishing of the Book, declared that they had charged the said Mr. *Hall* with contempt against this House the last Session, in that being enjoined by this House to appear, he departed out of Town in contempt of the Court; and afterwards testified the same his wilful contempt by an unseemly Letter addressed by him to this House; and charged him further with divers Articles of great importance selected by the said Committees out of the said Book; as first, with publishing the Conferences of this House abroad in Print, and that in a Libel with a counterfeit name of the Author, and no name of the Printer, and containing matter of infamy of sundry good particular Members of the House, and of the whole State of the House in general, and also of the Power and Authority of this House, affirming that he knew of his own knowledge that this House had *de facto* judged and proceeded untruly.

And was further charged, that he had injuriously impeached the memory of the late Speaker deceased, and had impugned the Authority of this House in appointing Committees without his assent; and that in defacing the credit of the Body and Members of this House, he practised to deface the Authority of the Laws and Proceeding in the Parliament, and so to impair the Ancient Orders touching the Government of the Realm and Rights of this House and the form of making Laws, whereby the Subjects of the Realm are governed. And further was charged, that since his being before the Lords of the Council for his said offence, and after that he had received rebuke of them for the same, and had offered

ferred some form of a submission, he had eftsoon again published the faid Book, and that whereas upon his Examination in the Houfe he had denied the having any more than one of the faid Books, it was yet proved he had twelve or thirteen, and fix of them fince the-time he was called before the faid Lords of the Council.

Unto all which things as the faid Mr *Hall* could make no reasonable Answer or denial, fo the faid Mr Vice-Chamberlain very excellently fetting forth the natures and qualities of the faid offences in their feveral degrees, moved in the end, that Mr *Hall* being without at the Door might be called in to Answer unto thofe points before the whole Houfe, and fo thereupon to proceed to fome end; and therewithal perfuading a due confideration of fpending the time, as much as might be, in matters of greateft moment, wherein much lefs hath been done this Seffion than in any other thefe many years in like quantity of time. And thereupon after divers other Motions and Speeches had in the faid matter, the Printer was brought to the Bar, and being Examined, avowed, that Mr *Hall* after that he had been before the Lords of the Council, came to him and told him that he had Answered the matter for the Books before the Council, and that therefore the Printer might deliver the faid Books abroad; and alfo where the faid Printer wifhed unto the faid Mr *Hall* fince his laft committing, that all the faid Books had been burned before he medled with them, Mr *Hall* fhould fay to him again, he would not for a hundred pound. And then being fequeftred,

Mr *Hall* was brought to the Bar, where after fome reverence done by him, though not yet in fuch humble and lowly wife as the ftate of one in that place to be charged and accused requireth, whereof being admonifhed by Mr Speaker, and further by him charged with fundry of the faid parts collected out of the faid Book, he fubmitted himfelf to the Houfe, refufing to make any Answer or defence at all in the matter, but acknowledging his error prayed pardon of the whole Houfe with all his heart; and that done, was fequeftred.

After which upon fundry Motions and Arguments had touching the quality and nature of his faults, and of fome proportionable forms of punishment for the fame, as Imprifonment, Fine, banifhment from the Fellowship of this Houfe, and an utter Condemnation and retraction of the faid Book; it was upon the Queftion refolved by the whole Houfe without any one negative voice, that he fhould be committed to Prifon.

And upon another Queftion likewise refolved, that he fhould be committed to the Prifon of the *Tower*, as the Prifon proper to this Houfe.

And upon another Queftion it was in like manner refolved, that he fhould remain in the faid Prifon of the *Tower* by the fpace of fix Months, and fo much longer as until himfelf fhould willingly make a Retraction of the faid Book to the fatisfaction of this Houfe, or of fuch

Order as this Houfe fhall take for the fame during the continuance of this prefent Parliament.

And upon another Queftion it was alfo in like manner refolved, that a Fine fhould be affeffed by this Houfe to the Queens Majesties ufe, upon the faid Mr *Hall*, for his faid offence.

And upon another queftion it was alfo refolved in like manner, that the faid Fine fhould be five hundred Marks.

And upon another Queftion alfo it was likewise refolved, that the faid Mr *Hall* fhould prefently be fevered and cut off from being a Member of this Houfe any more during the continuance of this prefent Parliament, and that Mr Speaker by Authority of this Houfe fhould direct a Warrant from this Houfe to the Clerk of the Crown-Office in the *Chancery*, for awarding of the Queens Majesties Writ to the Sheriff of the faid County of *Lincoln*, for a new Burges to be returned into this prefent Parliament for the faid Borough of *Grantham*, in lieu and ftead of the faid *Arthur Hall*, fo as before disabled any longer to be a Member of this Houfe.

And upon another Queftion it was alfo in like manner refolved, that the faid Book and flanderous Libel fhould and fhall be holden, deemed, taken and adjudged to be utterly falfe and erroneous, and that the fame fhall be publickly testified, affirmed and fet forth to be falfe, feditious and erroneous in fuch fort, order and degree as by this Houfe fhall be during this Seffion of Parliament further determined in that behalf.

Which done the faid Mr *Hall* was brought in again to the Bar, unto whom Mr Speaker in the name of the whole Houfe pronounced the faid Judgment in form aforefaid, and fo the Serjeant Commanded to take charge of him and convey him to the faid Prifon of the *Tower*, and to deliver him to Mr Lieutenant of the *Tower* by Warrant from this Houfe to be directed and figned by Mr Speaker for that purpofe. Which done and the faid Mr *Hall* being had away by the Serjeant, it was agreed (upon a Motion made by Mr Speaker) that the whole courfe and form of the faid Proceedings and Judgment of this Houfe againft the faid Mr *Hall* fhould be afterwards orderly digefted and fet down in due form to be firft read in this Houfe, and then fo Entred by the Clerk as the refidue of the Orders and Proceedings of this Houfe in other Cafes are ufed to be done, and fo it was afterwards drawn into form, read unto the Houfe and Entred by the Clerk accordingly *in hæc verba, viz.*

Where it was informed unto this Houfe upon *Saturday* being the fourth day of this prefent *February*, that *Arthur Hall* of *Grantham* in the County of *Lincoln* Esq; had fithence the laft-Seffion of this Parliament made, fet forth in Print, and published a Book Dedicated unto Sir *Henry Knivett* Knight a good Member of this Houfe, without his Privy, liking or allowance in part, tending greatly to the flander and reproach not
only

only of Sir Robert Bell Knight deceased, late Speaker of this Parliament, and of sundry particular Members of this House, but also of the Proceedings of this House in the same last Session of Parliament in a Cause that concerned the said *Arthur Hall* and one *Smalley* his Man. And that there was also contained a long Discourse tending to the diminishment of the ancient Authority of this House. And that thereupon by Order of this House the said *Arthur Hall* was sent for by the Serjeant of this House to appear upon Monday following, which he did accordingly. Whereupon being called to the Bar and charged by the Speaker with the information given against him, he confessed the making and setting forth thereof. Whereupon the said *Arthur Hall* being sequestred, the House did presently appoint divers Committees to take a more particular Examination of the said Cause, and of all such as had been doers therein. Which Examination being finished by the said Committees, they informed this House that they had charged the said *Arthur Hall* with contempt against this House the said last Session, In that being enjoined by this House to appear there at a time by this House prefixed, he departed out of the Town in contempt of the Court, and afterwards testified and enforced the same his wilful contempt by an unseemly Letter addressed by him to this House, and charged him also with publishing the Conferences of this House abroad out of the House, and that also in Print in manner of a Libel, with a counterfeit name of the Author, and without any name of the Printer, in which Book or Libel was contained matter of reproach and infamy to sundry good Members of this House in particular, and of the whole State of the House in general, reproaching and imbasing what in him lay, the Power and Authority of this House, and untruly reporting the Orders of this House, affirming amongst other great reproaches that he knew of his own knowledge that this House had proceeded and judged untruly. And further charged him that he had therein also injuriously impeached the memory of the late Speaker deceased, affirming that the Orders of this House were not by him truly delivered or set down, but altered and changed.

And not herewith satisfied hath in some part thereof contained a false and slanderous Discourse against the Antiquity and Authority of the Commons House, or third Estate of the Parliament, wherein he hath falsely sought as much as in him is to impugn, deface, blemish and diminish the Power, Antiquity and Authority of this House, and the interest that it hath always, and in all Ages had, to the great impeachment of the ancient Order and Government of this Realm, the Rights of this House and the form of making Laws; And that since his being before the Lords of the Council for his said offence, and after he had received rebuke of them for the same, and had offered some form of submission in that behalf, he had estoons again published the said

Book; and that upon his Examination in this House he had denied the having of any more than one of the said Books, yet it was proved that he had twelve or thirteen of them, and six of them since the time he was called before the Lords of the Council, and that he had by his Letters given Order to have of those Books Printed, which was done accordingly with more, and that he had caused one of the same Books sithence this Session of Parliament, to be sent to Sir Randal Brierton Knight.

Unto all which as the said *Arthur Hall* could make no denial or sufficient Answer, so the said Committees setting forth the nature and quality of the said offences in their several degrees, moved in the end that the said *Arthur Hall* might be called into the House to Answer unto those points before the whole House, and so thereupon to proceed to some speedy end, perswading therewithal a due consideration to be had of spending the time, as much as might be, in such matters of the Realm for which this Parliament was chiefly called. Whereupon after divers other Motions and Speeches had in the said matter the said Printer was brought to the Bar, and being Examined, avowed, that *Arthur Hall* after that he had been before the Lords of the Council came to him and told him, that he had Answered the matter for the said Books before the Council, and that therefore the said Printer might deliver the said Books abroad; affirming also that where the said *Henry Bynnyman* the Printer sithence this Session of Parliament, and since his last committing, wished unto the said *Arthur Hall* that all the said Books had been burned before he medled with them; That *Arthur Hall* should say to him again, he would not so for one hundred pounds. And then he being sequestred, *Arthur Hall* was brought to the Bar, where some mean reverence was by him done, though not in such humble and lowly wise as the state of one in that place to be charged and accused required. Whereof being admonished by the Speaker, and further by him charged, as well with the said parts collected out of the said Book, as with other his misdemeanors and contempts aforesaid, he in some sort submitted himself to the House, acknowledging in part the matters wherewith he was charged, and in some other parts denied the same; but not making any defence in the matter, but acknowledging in part his errors, imputing it for the most part to his misprision, and that in other parts the matters were gathered otherwise than he meant, he thereupon prayed pardon of the House, and that done was sequestred. After which upon sundry Motions and Arguments had touching the quality and nature of his fault, and of some proportionable forms of such punishment for such grievous offences, it was upon the Question resolved and Ordered by the whole House without any one negative Voice, that he should be committed to Prison.

And upon another Question likewise resolved
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and Ordered, that he should be committed to the Prison of the *Tower*, as the Prison usual for Offenders to be committed unto by this House.

And upon another Question it was in like manner resolved and Ordered, that he should remain in the said Prison of the *Tower* by the space of six Months, and so much longer as until himself should willingly make a particular Revocation or Retraction under his hand in writing of the said errors and slanders contained in the said Book, to the satisfaction of this House, or of such Order as this House shall take for the same, during the continuance of this present Session of Parliament.

And upon another Question it was also in like manner resolved and Ordered, that a Fine should be assessed by this House to the Queens Majesties use upon the said *Arthur Hall* for his said offence.

And upon another Question it was resolved and Ordered in like manner, that the same Fine should be five hundred Marks.

And upon another like question it was likewise resolved and Ordered, that the said *Arthur Hall* should presently be removed, severed and cut off from being any longer a Member of this House during the continuance of this present Parliament, and that the Speaker by Authority from this House should direct a Warrant from this House to the Clerk of the Crown-Office in the Chancery for awarding of the Queens Majesties Writ to the Sheriff of the said County of *Lincoln* for a new Burgees to be returned into this present Parliament for the said Borough of *Grantham*, in the lieu and stead of the said *Arthur Hall* so as before disabled any longer to be a Member of this House.

And upon another question it was also in like manner resolved and Ordered, that the said Book and Libel was and should be holden, deemed, taken and adjudged to be for so much as doth concern the errors aforesaid condemned.

Which done, the said *Arthur Hall* was brought in again to the Bar, unto whom the Speaker in the name of the whole House pronounced the said Judgment in form aforesaid, and so the Serjeant Commanded to take Charge of him and convey him to the said Prison of the *Tower*, and to deliver him to the Lieutenant of the *Tower* by Warrant from this House to be directed and signed by the said Speaker for that purpose. *Vide* concerning this matter on *Saturday* the 4th day, *Monday* the 6th day, and *Wednesday* the 8th day of this instant *February* foregoing.

On *Wednesday* the 15th day of *February*, Four Bills of no great moment had each of them one reading; of which the third being the Bill for granting of one Subsidy, two Fifteenths and Tenths was read the second time and Ordered to be ingrossed.

On *Thursday* the 16th day of *February*, the Bill against the *Family of Love*, was read the second time, and committed unto Sir *Thomas*

Scott, Sir *William Moore*, Sir *John Brockett*, Mr *Beale* and others, who were appointed to meet this Afternoon at two of the Clock in the *Exchequer Chamber*.

Mr Vice-Chamberlain one of the Committees in the Bill for counterfeit Seals (who were appointed on *Thursday* the 26th day of *January* foregoing) brought in the old Bill amended by the Committees, and a new Bill drawn by the said Committees according to the same amendments, whereupon the same new Bill was twice read and Ordered to be ingrossed.

The Bill for punishment of unlawful Marriages which was delivered to Mr Doctor *Dale* and other Committees, was this day brought in by Mr *Grimsditch* one other of the Committees, and a new Bill for that purpose made by the consent of the same Committees.

After sundry Speeches used against Sir *Rowland Hayward* one of the Committees in the Bill against Iron-Mills for an error by him done in preferring a new Bill for that purpose to the House, not agreed upon by the more part of the residue of the Committees, urging some infliction to be laid upon him, or at least his Submission with an acknowledgment of his said error therein to the House, it was upon a Motion made by Mr Speaker, and his Declaration of the Proceeding of the said Sir *Rowland Hayward* with him in the bringing in of the said latter Bill, Ordered by the House, that the matter of the said Prosecution should be no further dealt in or medled with, as a thing of too small moment for this House to be troubled with or spend time in.

Three Bills also of no great moment had each of them one reading; of which the last being the Bill for ratification of an award for certain Copyholders in the County of *Worcester*, was read the third time and passed upon the Question.

The Calling of this House appointed to have been this Afternoon is for greater causes deferred till another time.

On *Friday* the 17th day of *February*, Five Bills of no great moment had each of them one reading; of which the fourth being the Bill for limitation of *Formedon* in the *Descender*, and the fifth being the Bill against the excessive multitude of Attornies in the Court of Common-Pleas, was read the second time, and with the former committed unto both Masters of the Requests, Mr Lieutenant of the *Tower*, Sir *Thomas Sampoole*, Mr Attorney of the Dutchy, Mr *Sands*, Mr *Carleton*, Mr *Layton*, Mr *Grimpsdon*, Mr *Vaughan*, Mr *Dalton*, Mr *Boyes*, and Mr *Grimsditch*, and both the Bills were delivered to Mr Doctor *Dale* Master of the Requests, who with the rest was appointed to meet in the new Hall in the *Temple*, at two of the Clock this Afternoon.

The Bill touching the Children of Aliens and Strangers was once more read with the former amendments, and other amendments now presently inserted three times first read, was passed upon

upon the Question, after many Arguments first had and made.

Francis Drake Esquire was Licensed this day by Mr Speaker to depart for certain his necessary business in the service of her Majesty.

Francis Vaughan Esquire one of the Burgeses for the Borough of *Wilton* in the County of *Wiltshire*, was this day Licensed by Mr Speaker to be absent for his necessary business at the Assizes.

On *Saturday* the 14th day of *February*, Two Bills of no great moment had each of them one reading; of which the second being the Bill for the naturalizing of certain English mens Children born beyond the Seas, was read the first time.

The Bill for the repealing of certain branches of certain Statutes touching the making of Woollen-Cloths, and another Bill touching the Shipping of Cloths, were each of them committed upon the first reading unto the former Committees for Cloths (who were appointed on *Saturday* the 4th day of this instant *February* foregoing.)

The Bill for preservation of Pheasants and Partridges was read the second time, and committed unto Mr Chancellor of the Dutchy, Mr Knight Marshal, Sir *Thomas Cecil*, Sir *Thomas Scott*, Mr *Beaumont* and others, who were appointed to meet at Mr Chancellors of the Dutchy at two of the Clock in the Afternoon upon *Monday* next.

The Bill for Gavelkind Land within the City of *Chester* was read the third time.

The four Bills last past before this present day were sent up to the Lords by Mr Treasurer and others.

The Bill against unlawful Hunting of Conies was read the second time, and after many Arguments rejected upon the question of ingrossing.

Mr Chancellor of the Exchequer declared that the Committees appointed by this House to have Conference with the Lords touching the Bill for Religion, have sundry times met together with their Lordships about the same Bill, and that the same Bill is by the said Committees in some parts altered, changed and amended, and in some other parts abridged, and some others added unto, and so delivered in the same Bill so amended, requiring that the same should now be presently read as for the first reading thereof. Whereupon the said Bill was read accordingly for the first reading.

The Committees in Mr *Hydes* Bill are appointed to meet on *Monday* Morning next in the Treasury Chamber.

It is Ordered that the House be called upon *Monday* next in the Afternoon.

On *Monday* the 20th day of *February*, Five Bills of no great moment had each of them one reading; of which the fourth being the Bill for the paving a Street without *Aldgate* was read the third time and passed upon the Question.

The Bill for Explanation of the Statute of

Limitation made in the 37th year of *H. 8.* was brought in by Mr *Cromwell* one of the Committees with some amendments.

The Bill for ratification of a Decree between Mr. *Hyde* and Mr. *Darrell* was brought in by the Committees, and the amendments being twice read, the Bill was Ordered to be ingrossed.

Sir *Thomas Scott* one of the Committees in the Bill against the Family of *Love* (who were appointed on *Thursday* the 16th day of this instant *February* foregoing) brought in the old Bill with a new Bill also for that purpose drawn by the said Committees, but (he protested) not assented unto only by himself, and that for one only Article in the same new Bill contained.

Mr. Serjeant *Flowerdewe*, Mr. *Beale*, Mr. *Topcliffe*, Mr. *Cromwell*, Mr. *Newdigate*, Mr. *Alford* and Mr. *Layton* were added to the former Committees in the Bill touching the Attornies, and appointed to meet in the *Inner-Temple* Hall at two of the Clock in the Afternoon.

The Bill for the relief of the Creditors of Sir *Thomas Gresham* Knight Deceased, was read the second time.

The Bill against slanderous Speeches and rumors, and other seditious practices against the Queens Majesty, was brought in by the Committees, with certain Amendments and Additions, all three times read, and so now the Bill was read the third time and passed upon the Question, and was sent up to the Lords by Mr. Vice-Chamberlain and others, together with the other Bill passed this day, viz. the Bill for paving of the Street without *Aldgate*.

Mr. Treasurer, Mr. Vice-Chamberlain, Mr. Chancellor of the Exchequer, Sir *William Moore*, Mr. Recorder, Mr. Serjeant *Flowerdewe*, Mr. *Wroth*, Mr. *Cromwell* and others, were appointed to meet in the Exchequer-Chamber on *Tuesday* next at two of the Clock in the Afternoon for the Bill touching the Creditors of Sir *Thomas Gresham*, and Licence given to all persons and parties whom it may concern, to bring their Learned Council as well before the said Committees as also before this House, if it shall be so thought requisite.

The Bill touching coloured Cloths made in the Counties of *Suff.* and *Essex* was read the second time, and committed to the former Committees for Cloths, and the Bill was delivered to Mr *Grimston*.

On *Tuesday* the 21th day of *February*, Six Bills of no great moment had each of them one reading; of which the third being the Bill for Explanation of the Statute of Limitation of prescription of 32 *H. 8.* with the Amendments, was twice read, and with the Bill Ordered to be ingrossed.

The Bill for Partition of the Lands late of the Lord *Latimer* Deceased, was brought in by the Committees, with a Proviso for the Earl of *Oxford* and Sir *Thomas Tindale*; the same Proviso being twice read, the Bill and Proviso were Ordered to be ingrossed by assent of both parties.

The Bill for Affize of Fewel and touching Iron-Mills were brought in by Mr Comptroller, with a new Bill for the Affize of Fewel, another touching Glafs-Houfes, and another for the Affize of Fewel within the City of *Worcester*.

The Bill laſt read was upon the Queſtion and Diviſion of the Houſe paſſed with the advantage of the number of twelve Voices.

The three Bills laſt paſſed were ſent up to the Lords by Mr Vice-Chamberlain and others.

Two Bills of no great moment had each of them one reading; of which the firſt being the new Bill for the puniſhing of *the Family of Love*, was read the firſt time.

Mr Serjeant *Anderson* and Mr Doctor *Clark* did bring word from the Lords, that their Lordſhips having conſidered of the Amendments and Additions of this Houſe in a Bill touching ſlanderous Speeches and Rumors, and other ſeditious practices againſt the Queens Maſteſty, and minding to underſtand the meaning and intent of this Houſe in ſome part of the ſame Amendments and Additions, have appointed twelve of themſelves to have Conference with ſome of this Houſe to Morrow at two of the Clock in the Afternoon in the Council Chamber at the Court, and did pray that a convenient number of this Houſe might be appointed to meet with them at the ſaid time and place for Conference with the Lords in that behalf accordingly. Whereupon were appointed for that purpoſe all thoſe of this Houſe which were in the former Committee of the ſame Bill, before (whoſe names ſee on *Wednesday* the firſt day of this inſtant *February* foregoing.)

On *Wednesday* the 22th day of *February*, Three Bills of no great moment had each of them one reading; of which the third being the Bill for the true making of Hats and Caps was read the ſecond time, and committed unto Mr Lieutenant of the *Tower*, Sir *Rowland Haywood*, Mr Recorder, Mr *Askwith*, Mr *Perry* and others, and the Bill was delivered to Mr Lieutenant of the *Tower*, who with the reſt was appointed to meet at *Guild-hall* upon *Friday* next at two of the Clock in the Afternoon.

On *Thursday* the 23th day of *February*, the Bill againſt ſowing of Lineſeed or Hempſeed within the County of *Herford* by force of any penal Laws, was read the ſecond time and committed unto Sir *Henry Cock*, Sir *Henry Knivett*, Sir *Thomas Browne*, Sir *Thomas Scott*, Sir *James Harrington*, Sir *William More* and others; and the Bill was delivered to Sir *William More* aforeſaid, who with the reſt was appointed to meet this Afternoon at two of the Clock in the *Temple*.

Two Bills alſo of no great moment had each of them one reading; of which the ſecond being the Bill for the true folding and winding of Woolls was read the ſecond time and committed unto Sir *Rowland Haywood*, Sir *George Turpin*, Sir *James Barrington*, Mr *Keale*, Mr *Benbridge* and others; and the Bill was delivered to Mr *Benbridge*, who with the reſt was appointed to

meet this Afternoon in the *Middle-Temple Church* at two of the Clock.

On *Friday* the 24th day of *February*, Two Bills had each of them one reading; of which the firſt being the Bill for re-edifying of the Borough of *New-Woodſtock*, was read the ſecond time and Ordered to be ingroſſed.

The Bill touching the Mayor, Bayliſſs and Commonalty of the City of *Coventry* was brought in by Mr *Grimſditch* with Amendments agreed upon by all the Parties to the ſame Bill.

Two Bills alſo had each of them one reading; of which the ſecond being the Bill for the true melting and working of Wax, was read the ſecond time, and committed unto Mr Comptroller, Mr *Edgecombe*, Mr Lieutenant, Mr Recorder and Mr *Cromwell*, to conſider preſently in the Committee Chamber.

Mr Chancellor of the Exchequer brought in the Bill for Sheriffs with ſome Amendments and Additions, and alſo a new Bill touching the return of Jurors, which all were read.

Poſt Meridiem.

The Houſe being called and ſome returned into the places of others Deceaſed ſince the laſt Seſſion of this preſent Parliament, and yet ſome of them ſuppoſed to be living, ſome in place of others ſick and diſeaſed, and ſome in place of others employed in the Queens Maſteſties Service, it is Ordered, that all the ſaid returns of this Seſſion be Examined, and the Orders and Precedents of this Houſe in like Caſes formerly uſed be alſo conſidered by ſome of this Houſe, and thereupon report to be made to this whole Houſe of the ſtate of the ſaid Returns and Precedents, to the end further order may be taken therein accordingly. Whereupon were appointed for that purpoſe Mr Treafurer, Mr Chancellor of the Dutchy, Mr Treafurer of the Chamber, Sir *Thomas Shirley*, Sir *Edward Horſey*, Sir *William Moore*, Sir *Henry Gate*, Sir *John Hibbott*, Mr Attorney of the Dutchy, Mr *Diggs*, Mr *Cromwell* and Mr *Poole*.

William Boreman Eſq; one of the Burgeſſs for the Town of *Wells* was Licensed by Mr. Speaker to be abſent for his neceſſary Affairs at the next Affizes in the County of *Somerſet*.

On *Saturday* the 25th day of *February*, Two Bills of no great moment had each of them one reading; of which the ſecond being the Bill for the Explanation of the Statute of 32 H. 8. for Limitation of preſcription, was read the third time and paſſed upon the Queſtion.

Tueſday next in the Afternoon in the Exchequer Chamber is appointed for the Committees to meet together to examine the returns and defaults appearing upon the calling of the Houſe.

The Bill for the better fortifying of the Borders and Frontiers towards *Scotland* was read the ſecond time, and after many Arguments committed unto all the Privy-Council being Members of this

this House, Mr Treasurer of the Chamber, Mr Knight Marshal, Sir Thomas Cecil, Sir Henry Lea, Sir Henry Knivett and others, who were appointed to meet upon Monday next in the Exchequer Chamber at two of the Clock in the Afternoon.

On Monday the 27th day of February, Four Bills of no great moment had each of them one reading; of which the first being the Bill touching the Examination of Witnesses in Towns Corporate, was read the second time and Ordered to be ingrossed.

The two Bills which passed yesterday were now sent up to the Lords by Mr Comptroller and others.

The Bill touching Leases of Tenants in Tail was read the second time and committed unto Sir Thomas Sampoole, Mr Sanders, Mr Amerdeth, Mr Cromwell, Mr Edward Stanhope and Mr Shirley, who were appointed to meet this Afternoon at two of the Clock in the Exchequer Chamber.

The Bill for the City of Carloli was read the second time and committed unto Mr. Comptroller, Mr. Knight Marshal, Sir Henry Knivett, Sir John Dawney, Sir Edward Horsey, Sir Robert Stapleton, Sir Henry Gate and others; who were appointed to meet on Wednesday next at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr. Serjeant Anderson and Mr. Dr. Barkeley did bring from the Lords word that their Lordships have appointed to meet with the Committees of this House at the Court in the Council Chamber at two of the Clock in the Afternoon touching the Bill of disobedient Subjects.

It is Ordered thereupon for this time that the former Committees with some others now added and no more, shall attend the Lords to Morrow in the Afternoon according to the Message brought from their Lordships in the Bill for Religion.

The Bill for the punishment of Hereticks called *the Family of Love*, was read the second time and committed unto Mr. Comptroller, Mr. Vice-Chamberlain, Mr. Chancellor of the Exchequer, Mr. Secretary Wilson and others, who were appointed to meet upon Wednesday next at two of the Clock in the Afternoon.

It was Ordered that the House should be called again upon Saturday next at two of the Clock in the Afternoon.

On Tuesday the 28th day of February, Five Bills of no great moment had each of them one reading; of which the third being the Bill touching Clothes called *Tauntons* and *Bridgewater*, was read the third time, and Ordered to be ingrossed.

Mr. Doctor Barkley and Mr. Doctor Ford did bring from the Lords a Bill touching the assurance of certain Lands to the Lord Compton.

The Bill against Moor-burning was read the second time.

The Bill touching Examination of Witnesses

in Corporate Towns, and these words, *viz.* [without Commission or Warrant from some of her Majesties Courts or Councils] and these words [or *nisi prius*] are upon the Question Ordered to be put into the Bill, and the word [heretofore] already in the Bill was upon the division of the House after the doubtfulness of the Question, Ordered to remain in the Bill by the advantage of the number of nine persons, and the Bill so amended was passed upon the Question.

On Wednesday the first day of March, Three Bills had each of them one reading; of which the third being the Bill for granting one Subsidy, two Fifteenths and Tenths was read the third time and passed upon the Question.

On Thursday the second day of March, Six Bills of no great moment had each of them one reading; of which the last being the Bill for the Mayor, Bailiffs and Commonalty of the City of Coventry, was read the third time and passed upon the Question.

Five Bills were sent up to the Lords by all the Privy-Council being of this House and others; of which one was the Bill touching Limitation of prescription in a *Formedon* in the *Descender*, and another against the false packing of Hops.

Three Bills also had each of them one reading; of which the third being the Bill against the Corporation of the Merchant Adventurers being Freemen of the City of London was read the second time, and committed unto Mr. Treasurer, Mr. Chancellor of the Exchequer, Mr. Comptroller, Mr. Chancellor of the Dutchy, Mr. Vice-Chamberlain, Mr. Secretary Wilson, Mr. Lieutenant of the Tower, the Master of the Jewel-House, Mr Dale Master of the Requests and others, who were appointed to meet in the Exchequer Chamber to Morrow at two of the Clock in the Afternoon; And further that the said Committees shall have Authority to hear such proofs on both parts as shall make request to come before them touching the contents of the said Bill.

On Friday the third day of March, the Additions and Amendments in the Bill touching Tanners and Spaliers were twice read, and the Bill Ordered to be ingrossed.

Two Bills also of no great moment had each of them one reading; of which the first being the Bill for the preservation of Woods was read the second time.

After sundry Motions and Arguments touching some Reformatiions in matters of Religion, contained in the Petitions exhibited unto this House the last Session of this present Parliament, it was at last resolved by the whole House, that Mr. Vice-Chamberlain, both Mr. Secretaries, and Mr. Chancellor of the Exchequer shall by Order of this House, and in the name of this whole House, move the Lords of the Clergy to continue unto her Majesty the prosecution of the purposes of reformation, which they the said Mr. Vice-Chamberlain, Mr. Secretaries, and Mr. Chan-

cellor of the Exchequer had before of themselves, and not as from this House moved unto their Lordships, and also shall further impart unto their Lordships the earnest desire of this House for redress of such other griefs contained likewise in the said Petitions, as have been touched this day in the said Motions and Arguments, as to their good wisdoms shall seem meet. And then upon a Motion made by Mr Speaker, it was further agreed, that all the said Speeches, Motions and Arguments should by the whole House be deemed in every man to proceed of good and godly zeal, without any evil intent or meaning at all, and so and for such to be construed and reported accordingly, and not otherwise, or in any other manner. *Vide March the 7th.*

On *Saturday* the 4th day of *March*, Two Bills of no great moment had each of them one reading; of which the second being the Bill for naturalizing of certain English mens Children born beyond the Seas was read the third time, and passed upon the Question.

The Bill touching Wrecks of the Seas was read the second time, and the Amendments were twice read and Ordered to be ingrossed.

The Bill against disobedience to her Majesty in respect of the usurped See of *Rome*, &c. was brought in by Mr Treasurer one of the Committees, and then read the first time, and was also upon the Question Ordered by this House to be now presently read again, and so was read the second time, and after many Speeches was Ordered to be ingrossed.

Mr Attorney General and Mr Doctor *Lewes* did bring from the Lords three Bills, *viz.* One for Confirmation of a Subsidy of the Clergy, Another for increase of Mariners and for the maintenance of the Navy, And the third for the Inning of *Erith* and *Plumsted* Marsh.

The Bill for Leases for Tenant in Tail was read the third time, and passed upon the Question.

The Bill for re-edifying of *Cardiffe*-Bridge, and the Bill for Leases of Tenant in Tail were sent up to the Lords by Mr Secretary *Wilson* and others.

Three Bills had each of them their third reading and passed upon the Question; of which the last was the Bill touching Cloths called *Tauntons* and *Bridgematers*.

Post Meridiem.

The Bill for repair of *Dover*-Haven was read the second time, and committed unto Sir *William Winter*, Sir *Edward Horsey*, Mr. Recorder of *London*, Mr. *Sands*, Mr. *Dalton* and others; and the Bill was delivered to the said Sir *Edward Horsey*, who with the rest was appointed to meet upon *Monday* next at seven of the Clock in the Forenoon in the Exchequer Chamber.

The Bill for the Hospital of *Ledbury* in the County of *Hereford* was read the second time,

and committed unto Mr. *Skidmore*, Mr. *Cromwell*, Mr. *Philipps*, Mr. *Powley* and Mr. *Edward Stanhope*; and the Bill was delivered to Mr. *Cromwell*, who with the rest was appointed to meet in the Committee Chamber of this House upon *Monday* next at seven of the Clock in the Forenoon.

Four Bills also of no great moment had each of them one reading; of which the first being the Bill for the maintenance of Mariners and of Navigation, was read the first time.

The Bill touching Iron-Mills near the City of *London*, and the River of *Thames*, was read the second time, and this reading to stand for no reading. *Quod nota.*

On *Monday* the 6th day of *March*, Three Bills of no great moment had each of them one reading; of which the third being the Bill to retain the Queens Subjects in their due obedience, was read the third time and passed upon the Question.

Mr. Doctor *Gibbon* and Mr. Doctor *Clark* did bring from the Lords a Bill touching a certain Rent-Charge unto the Bishop of *Coventry* and *Litchfield* and his Successors, out of the Lands of *Edward Fisher* Esquire.

Six Bills were sent up to the Lords from the House of Commons by all the Privy-Council being Members of this House; of which one was the Bill for Confirmation of the Subsidy granted by the Clergy, and another to retain the Queens Majesties Subjects in their due obedience, with special recommendation from this House unto their Lordships touching the latter of the said Bills.

The Bill for the repairing of *Dover*-Haven was twice read, and committed unto the former Committees and all the Privy-Council being Members of this House; Mr *Dale* Master of the Requests, and Mr. Recorder of *London* were added unto them, and appointed to meet at the Exchequer Chamber upon *Wednesday* next at two of the Clock in the Afternoon.

On *Tuesday* the 7th day of *March*, the Bill against secret Conveyances and deceitful sale of Lands was read the first time.

Mr. Chancellor of the Exchequer declared, that Mr. Vice-Chamberlain, both Mr. Secretaries and himself, have according to their Commission from this House conferred with some of my Lords the Bishops touching the griefs of this House for some things very requisite to be reformed in the Church, as the great number of unlearned and unable Ministers, the great abuse of Excommunication for every matter of small moment, the Commutation of Penance, and the great multitude of Dispensations and Pluralities, and other things very hurtful to the Church; and in the name of this House desired their Lordships to join with them in Petition to her Majesty for reformation of the said abuses: declaring further, that they found some of the said Lords the Bishops not only ready to confess and grant the said defects and abuses, wishing due redress thereof;

thereof; but also very willing to join with the said Committees in moving of her Majesty in that behalf. Whereupon they afterwards joined in humble suit together unto her Highness, and received her Majesties most Gracious Answer, That as her Highness had the last Session of Parliament of her own good consideration (and before any Petition or Suit thereof made by this House) committed the charge and consideration thereof unto some of her Highness Clergy, who had not performed the same according to her Highness Commandment; so her Majesty would estoons commit the same unto such others of them, as with all convenient speed without remissness and slackness should see the same accomplished accordingly, in such sort as the same shall neither be delayed nor undone. For the which as they did all render unto her Majesty most humble and dutiful thanks, so did Mr. Chancellor further declare, that the only cause why no due reformation hath been already had, was only by the negligence and slackness of some others, and not of her Majesty nor of this House; alledging withal that some of the said Bishops had yet done something in those matters delivered by her Majesty to their Charge, as in a more advised care of following and making of Ministers, but yet in effect little or nothing to the purpose. And so concluding moved this House to rest satisfied with her Majesties said most Gracious Answer, and to resolve upon some form of yielding thanks unto her Highness for her most Gracious Acceptation of the humble Petition of this House unto her Highness in that behalf, and also in putting her Majesty in remembrance for Execution thereof at her Highness good pleasure. *Vide* concerning this business on *Friday* the third day of this instant *March* foregoing.

Two Bills also of no great moment had each of them one reading; of which the second being the Bill for maintenance of the Borders and Frontiers against *Scotland*, was twice read and Ordered to be ingrossed.

Mr. Chancellor of the Exchequer after sundry Motions and Arguments for the manner and form of proceeding in giving most humble thanks unto her Majesty for her Highness said most Gracious Acceptation of the most humble Petition of this House unto her Highness for redress of sundry Enormities in the Church, and for the further putting of her Majesty in remembrance for Execution of the same, moved, that not this whole House nor any chosen or selected number of the same, but rather Mr Speaker in his Oration upon the last day of this Session do in the name of this whole House then yield unto her Highness their most humble and dutiful thanks, with their like remembrance and continuation of their most humble and lowly Petition and Suit unto her Majesty for the speedy Execution and accomplishment thereof at her Highness good pleasure. *Vide* concerning this business on *Friday* the third day of this instant *March* foregoing.

Mr Serjeant *Anderfon* and Mr Doctor *Clark* did

bring from the Lords an Act for reformation of errors in Fines and common Recoveries.

It is resolved by the House upon the Question, that Mr Speaker in the name of this whole House do in his Oration to her Majesty upon the last day of this present Session of Parliament give unto her Highness most humble and dutiful thanks in the name of this whole House for her Majesties said most Gracious Acceptation and Consideration of the said humble Petition and Suit of this House unto her Highness, and do also put her Majesty in remembrance for the Execution and accomplishment thereof at her Highness good pleasure in such sort as to Mr Speaker (without receiving instruction or direction of any of this House) shall seem most meet and convenient. *Vide* concerning this matter on *Friday* the third day of this instant *March* foregoing.

On *Wednesday* the 8th day of *March*, the Bill for Inning of *Erith* and *Plumsted*-Marsh was read the first time, and committed unto Sir *Thomas Scott*, Sir *William Moore*, Sir *Thomas Browne*, Sir *Rowland Hayward*, Mr. *Grimsditch* and others; and the Bill was delivered to the said Mr. *Grimsditch*, who with the rest was appointed to meet this Afternoon in the *Temple-Hall* at two of the Clock.

The Bill for the assurance of Rent-Charge of eighty two pounds ten shillings to the Bishop of *Coventry* and *Litchfield* and his Successors, was read the first time, and thereupon committed to the last former Committees (*Quod nota*) and was delivered to Sir *Rowland Hayward* one of the said Committees to meet at the said time and place before-mentioned.

Three Bills also of no great moment had each of them one reading; of which the second being the Bill against erecting of Iron-Mills near unto the City of *London* or River of *Thames*, was read the second time and Ordered to be ingrossed.

The two Bills last passed were sent up to the Lords by Mr. Chancellor of the Dutchy, Mr. Chancellor of the Exchequer and others.

Mr. Attorney General and Mr. Serjeant *Anderfon* did bring from the Lords the Bill against slanderous rumors and other seditious practices against the Queens Majesty, which first passed the Upper House, and being brought down into this House was afterwards sent from hence thither again with a certain Schedule of Amendments, and also with an Addition thereunto of this House ingrossed in Parchment, but not indorsed with *soit baille aux Seigneurs*, for want whereof their Lordships had no Warrant to deal therewith any further, and therefore willed that this House would either withdraw the said Addition ingrossed and so to pass the Bill, or else cause the same to be indorsed, that their Lordships might further proceed accordingly. Whereupon immediately after the departing of the said Mr. Attorney and Mr. Serjeant *Anderfon* the said Addition was indorsed, and sent up by Mr. Treasurer and others.

The Bill for the relief of the Creditors of Sir *Thomas Gresham* K^t deceased, was read the first time.

Mr. Lieutenant of the Tower, Sir *Thomas Scott*, Mr. *Cromwell*, Mr. *Atkins* and Mr. *Norton* were appointed to confer together touching the answering and satisfying of the Contents of a Letter written by Mr. *Hall* to Mr. Speaker, which was here read in the House by the Clerk, and delivered to Mr. *Cromwell* one of the Committees to be considered by him and the residue of the said Committees accordingly. *Vide de ista materia* on Tuesday the 14th day of February foregoing, as also on Saturday the 18th day of this instant March following.

On Thursday the 9th day of March, Two Bills of no great moment had each of them one reading; of which the second being the Bill for colouring of strangers goods was read the first time.

Sir *Roland Hayward*, one of the Committees in the Bill for confirmation of an assurance of a Rent-Charge of eighty two pounds ten shillings to the Bishop of *Coventry* and *Litchfield* and his Successors, and for the Bill touching the Inning of *Erith* and *Plumsted* Marsh (who were appointed immediately on the day foregoing) declared that such saving as they think meet to be had in both the said Bills, is conceived by the Committees already.

The Bill for Confirmation of an assurance of a Rent-Charge of eighty two pounds ten shillings to the Bishop of *Coventry* and *Litchfield* and his Successors, was read the second time; and thereupon Mr. Recorder of *London* and Mr. *Cowper* were added to the former Committees, and appointed to meet this Afternoon at the said Temple-Hall.

The Bill for repair of *Dover* Haven was twice read and Ordered to be ingrossed.

Mr. Attorney General and Mr. Doctor *Gibbon* did bring from the Lords the Bill against slanderous Speeches and seditious practices against the Queens Majesty, declaring that their Lordships do require the consent of this House to some things altered and added by their Lordships to the said former alterations and Additions of this House, and withal that their Lordships have already reformed the said Bill according to some parts of the Alterations sent by this House unto them; and did also bring a Bill from their Lordships touching *Edward* Lord *Zouch*; with special recommendation also from their Lordships to this House for expediting the Bill for the Hospital of *Ledbury*, which was before sent from their Lordships to this House.

Two Bills lastly had each of them one reading; of which the second being the Bill for relief of the Creditors of Sir *Thomas Gresham* K^t deceased was read the second time, and committed unto Sir *Thomas Sampoole*, Mr. Recorder, Mr. *Sands*, Mr. *Cowper*, Mr. *Alford* and Mr. *Norton*, who were appointed to meet in the Exchequer Chamber at two of the Clock in the Afternoon this present day.

On Friday the 10th day of March, Five Bills

of no great moment had each of them one reading; of which the last being the Bill for the repairing of *Dover* Haven was read the third time, and passed upon the question.

Mr. Doctor *Lewes* and Mr. Doctor *Barkley* did bring from the Lords two Bills, viz. one for restitution in blood of *Philip* Earl of *Arundel*, another for the Pardon and Restitution in Blood of *John* and *Dudley* St. *Leger*; with request also to this House to have consideration of the Bill of Fines and Recoveries which came to this House from their Lordships.

The Bill for the repair of *Dover* Haven was sent up to the Lords by Mr. Treasurer and others.

The Bill touching the true making, melting and working of Wax was read the third time and passed upon the Question.

The Amendments in the Bill for the relief of the Creditors of Sir *Thomas Gresham* Knight deceased were twice read, and so the Bill upon the question was Ordered to be ingrossed.

The Bill for reformation of Errors in Fines and common Recoveries was read the second time, and committed unto Sir *Thomas Sampoole*, Mr. Recorder of *London*, Mr. *Cromwell*, Mr. *Cobly* and others, who were appointed to meet this Afternoon at *Serjeants-Inn* Hall.

On Saturday the 11th day of March, Eight Bills of no great moment had each of them one reading; of which the two last, the one being for the Inning of *Erith* and *Plumsted* Marsh, and the other for reformation of errors in Fines and Recoveries were each of them read the third time and passed upon the Question.

The Bill touching slanderous words, rumors and other seditious practices against her Majesty, which coming first from the Lords unto this House, and afterward with some alterations and Additions passed this House and so sent up again unto their Lordships, and again thence brought from thence to this House with some other alterations by their Lordships made unto the said former Additions and Alterations of this House, and not disallowing the amendments of this House, was upon the Question after sundry Motions and Arguments resolved by this House to be sent up again unto their Lordships and left with them as a Bill that this House cannot deal withal.

On Monday the 13th day of March, the Bill for relief of the Creditors of Sir *Thomas Gresham* Knight deceased was read the third time and passed upon the Question.

Five Bills were sent up to the Lords from the House of Commons; of which one was the Bill for reformation of Errors in Fines and Recoveries, and another for the restitution in Blood of *Anthony* *Mayney* Esquire.

Three Bills of no great moment had each of them one reading; of which the last being the Bill for confirmation of an assurance of a certain yearly Rent-Charge of eighty two pounds ten shillings to the Bishop of *Coventry* and *Litchfield* and his Successors was read the third time and passed upon the Question.

Mr. Treasurer with others which carried up the last Bills to the Lords coming into this House again from their Lordships, Mr. Treasurer did declare that after he had delivered the other Bill, he then shewed their Lordships that this House had sent up to be left with their Lordships a Bill against slanderous words and rumors and other seditious practices against her Majesty, for that the same Bill when it was last sent to this House by their Lordships was and is such as this House cannot deal with; and that thereupon the Lord Chancellor answered that as their said Lordships were not to take knowledge of the opinion of this House touching the state of the said Bill, so their Lordships would not receive the said Bill. Which Report being made by Mr. Treasurer, the Bill was thereupon left in this House. *Vide March* the 14th *Tuesday* following.

The Bill touching Iron-Mills near unto the City of *London* and the River of *Thames* was read the third time, and three Provisoos likewise thrice read, and all after many Arguments passed upon the Question.

Mr. Doctor *Barkley* and Mr. Doctor *Ford* did bring from the Lords a Bill for the Exposition of the Statute of Bankrupts, and also that their Lordships do require a Conference to be had with ten of their Lordships at two of the Clock this Afternoon at the Court in the Council Chamber touching the Bill for maintenance of the Borders towards *Scotland*, and thereupon were appointed the former Committees in the same matter, who were appointed on *Saturday* the 25th day of *February* foregoing.

The Bill for the Lord *Zouch*, and the Bill for the Lord *Compton*, had each of them one reading, being the second reading.

After some Motions and Speeches offered upon the reading of the said Bill for the Lord *Zouch*, it was resolved, That as well the Lord *Zouch* with his Learned Council, as also any person or persons any thing claiming or pretending in the Lands mentioned in the said Bill, and their Council, should be heard in this House to Morrow next. And that Sir *James Dyer* Lord Chief Justice of the Common-Pleas, should likewise there be heard in this House to Morrow next, touching the Record mentioned in the said Bill, and remaining in the said Court of Common-Pleas; and also that the same Record should likewise be then brought into this House, there to be seen and perused for the better satisfaction of this House in their further proceedings in the said Bill. And withal that Mr. Speaker should by Order of this House, give notice unto the said Lord Chief Justice to be here at the said time, and bring with him the said Record accordingly. *Vide* concerning this matter on *Tuesday* the 14th day, and on *Friday* the 17th day of this instant *March* following.

On *Tuesday* the 14th day of *March*, Three Bills of no great moment had each of them one reading; of which the third being the Bill against secret Conveyances and deceitful sale of Lands,

was read the second time, and committed unto Sir *Thomas Sampoole*, Mr. Recorder of *London*, Mr. *Atkins*, Mr. *Lewkenor*, Mr. *Comper* and others, who were appointed to meet in the *Middle Temple Hall* at two of the Clock this Afternoon.

Sir *James Dyer* Knight, Lord Chief Justice of the Common-Pleas, having informed this House touching the State of the Record mentioned in the Bill for the Lord *Zouch*; and the said Lord *Zouch* having been here likewise heard at the Bar, and the said Record having been here seen and perused in this House and read by the Clerk, it was resolved that Sir *Thomas Sampoole*, Mr. Recorder of *London*, Mr. *Harrington*, Mr. *Cromwell*, Mr. *Lewkenor* and Mr. *Comper* do consider of the Decree heretofore made in the *Chancery* touching the said matter, and of the Exemplification of the said Record, and meet to Morrow Morning at seven of the Clock in the Forenoon in the Committee Chamber of this House, and afterwards to make Report. *Vide* touching this matter on *Friday* the 17th day of this instant *March* following.

Mr. Treasurer touching the Committee yesterday with the Lords for the Bill of maintenance of the Borders against *Scotland*; declared, that their Lordships in the Conference yesterday seem'd to marvel much that their Lordships having first passed a Bill with them for the said purpose, and sending it down to this House, this House would without requiring further Conference with their Lordships take upon them to make a new Bill for the same matter, and not proceed with the said Bill thereof which came from their Lordships. And their Lordships thought this House ought not so to have done, neither could well by Warrant of any former Precedents of this House. And further that some of the said Committees of this House then answered unto their Lordships, that this House had cause to do as they did, and might likewise well so do.

Mr. Vice-Chamberlain very excellently setting forth the great benefits and blessings of God upon this Realm in the Godly, most loving and careful Government and Ministry of her Majesty, and withal the great, earnest, most faithful and dutiful zeal and obedience of this House unto her Highness, no less in every particular Member of the same, than is or can be in any other Subject of this Realm whosoever, noble or other, as hath and may well appear by them all in their Actions. And also taking occasion of the Bill lately very gravely, carefully and dutifully considered and dealt in by this House for the due care and preservation of her Majesties Honour, Fame and Dignity, but nevertheless dashed by the Lords in the Upper House, and not in this House nor in the default of this House, moved that this House would yet notwithstanding for many great and weighty respects by him most excellently, amply and effectually, and no less aptly declared, proceed to some such course for

due provision to the same end of the safety of her Highness Honour, Fame and Dignity, as by some of this House for that purpose to be selected shall seem meet to express and shew the faithful hearts, careful love and dutiful obedience of such thankful Subjects unto so Gracious, Provident and Merciful a Prince. Whereupon were appointed all the Privy-Council being of this House, Mr Treasurer of the Chamber, Mr Knight Marshal, Mr Doctor Dale Master of the Requests, Sir Thomas Sampoole, Sir William fitz William, Sir William Moore, Sir Thomas Shirley, Mr Recorder of London, Mr Sands, Mr Atkins, Mr Cowper, Mr Cromwell, Mr Norton, Sir Henry Gate, Sir George Turpin, Mr Wolley, Mr Beale, Mr Thomson, Mr Crooke, Mr Nicholas St Leger, Mr Vincent Skinner, Mr Pister, Mr. Edward Lewkenor, Mr. Diggs, Mr. Dalton and Mr. Alford, to meet in the Exchequer Chamber between one and two of the Clock this Afternoon, to confer for the drawing of a Bill against to Morrow Morning for the safety and preservation of her Majesties Honour, Fame and Person accordingly. *Vide* concerning a Bill on Wednesday the first day of February foregoing much to this purpose, as also on March the 13th Monday foregoing.

The Bill for restitution in Blood of Philip Earl of Arundel was read the third time and passed upon the Question.

On Wednesday the 15th day of March, Two Bills of no great moment had each of them one reading; of which the first being the Bill for maintenance of Mariners and of the Navigation, was read the second time; and two Provisoos also to the same Bill were twice read, and committed unto Mr. Lieutenant of the Tower, Sir Thomas Sampoole, Mr. Aldersey, Mr. Grice, Mr. Lewkenor, Mr. Norton and others, who were appointed to meet at the Temple-Hall at two of the Clock this Afternoon.

Two Bills also had each of them one reading; of which the Bill for the more indifferent Tryal by Juries was read the third time, and dashed upon the Question.

Six Bills were sent up to the Lords by Sir Henry Ratclyffe, Sir Thomas Cecill, Sir Edward Horsey, Mr. Lieutenant of the Tower and others; whereof the fifth was the Bill for restitution in Blood of John and Dudley St Leger, and the last for the more indifferent Tryal by Juries.

Mr. Treasurer reported, that according to the Order and Commission of this House to him yesterday and others, he and others of the Committees had met together, and drawn a new Bill; and so delivered the Bill in the House to be read.

The Bill against seditious words and rumors uttered against the Queens most Excellent Majesty was twice read, and upon the Question Ordered to be ingrossed.

Mr. Attorney General and Mr. Doctor Gibbon did bring from the Lords the Bill for fortifying of the Borders against Scotland with some Amendments; which Bill had passed this House

before, and was sent to their Lordships from this House.

On Thursday the 16th day of March, Three Bills of no great moment had each of them one reading; of which the third being the Bill for Exposition of the Statute of Bankrupts, was read the third time, and dashed upon the Question.

Sir Thomas Sampoole, one of the Committees in the matter for the Lord Zouch (whose names see on Monday the 13th day of this instant March foregoing) made report of their Travel therein, and of the Estate of the Title of the said Lord Zouch to the Mannor in demand; and thereupon the said Lord Zouch was afterward with his Council heard at the Bar. *Vide* concerning this matter on Tuesday the 14th day of this instant March foregoing, and also on Friday the 17th day of the same Month following.

Mr. Doctor Clark and Mr. Doctor Barkley did bring from the Lords a Bill before-passed this House touching the abolishing of certain deceitful stuffs used in the dying of Cloths, and now returned by their Lordships with some Amendments and Provisoos thereunto added.

The Bill against seditious words and rumors uttered against the Queens most Excellent Majesty, was read the third time, and after sundry Motions and Arguments and some Amendments added were thrice read, and the Bill passed upon the question.

Mr. Cope standing up and offering to speak unto the House, said unto Mr. Speaker and Charged him with these Speeches, that is to say, That Mr. Speaker in some such matters as he hath favoured, hath without Licence of this House spoken to the Bill; and in some other Cases which he did not favour and like of, he would prejudice the Speeches of the Members of this House with the Question.

On Friday the 17th day of March, the Bill for maintenance of Mariners and of the Navigation, was read the third time.

The Bill against seditious words and rumors uttered against the Queens most Excellent Majesty, which passed in this House yesterday, was sent up to the Lords by Mr Treasurer and all the residue of the Privy-Council being of this House, and then present with others; and also the Bill for the Borders, wherein their Lordships are to be moved for the perfecting only of the sence in some parts of their Amendments, that this House may proceed to their further dealing in the said Bill accordingly.

Mr Serjeant Anderson and Mr Doctor Gibbon did bring from the Lords again the Bill for the Borders amended according to the request of this House; with Commendation also from her Majesty from the Lords, of the Bill for the maintenance of Mariners and of the Navigation. Whereupon the amendments being finished, and three times read and passed upon the question, the Bill was remanded unto their Lordships by Mr Comptroller and others, together with the Bill

Bill against deceitful stuff used in dying of Cloths, wherein their Lordships are to be moved for the perfecting of some part of their Lordships Amendments sent by them to this House, viz. the mistaking of a line in the Bill; to the end that the same being done, this House may proceed in perfecting of the said Bill accordingly in the said amendments.

Mr Chancellor of the Exchequer, Mr Henry Ratclyffe, Sir Thomas Sampcole, Mr Aldersey, Mr Wroth, Mr Cromwell, Mr. Norton, Mr. Alford and Mr. Grice were appointed to consider presently in the Committee Chamber of the Bill for maintenance of Mariners and of the Navigation.

The Bill for the Lord Zouch was read the third time.

Mr Comptroller returning from the Lords brought word from their Lordships, that they do add some amendments to the Bill against seditious words and rumors uttered against her Majesty, and did pray that when their Lordships shall now forthwith send down the same Bill and amendments to this House, it may then have speedy Expedition, and did estoons recommend unto this House the Bill for maintenance of Mariners and of the Navigation.

Mr. Doctor Lewes and Mr. Doctor Clark did bring word from the Lords that their Lordships do pray present Conference with half a score of this House touching the Bill against seditious words and rumors uttered against her Majesty. And thereupon were appointed Mr. Treasurer, Mr. Comptroller, Mr. Chancellor of the Exchequer, Mr. Vice-Chamberlain, Sir Thomas Sampcole, Mr. Doctor Dale Master of the Requests, Mr. Recorder of London, Mr. Cromwell, Mr. Cowper and Mr. Alford, to confer with their Lordships accordingly. Vide concerning this matter on Wednesday the first day of February foregoing.

Mr Doctor Lewes did bring from the Lords the Bill for abolishing certain deceitful stuff used in the dying of Cloths, with the reformation in their Lordships said amendments, done and made according to the Request of this House to their Lordships in that behalf.

It is Ordered upon the Question that the Bill for the Lord Zouch be committed to be reformed by Mr Treasurer, Mr Chancellor of the Exchequer, Mr Cromwell, Mr Wentworth, Mr Snagg, Mr Diggs, Mr St Leger, Mr Lewkenor, Mr Carleton and Mr Ameredith, and appointed to meet in the Exchequer Chamber this Afternoon. Vide de ista materia on Tuesday the 14th of this instant March foregoing.

Mr. Treasurer and others coming from Conference with the Lords, Mr. Treasurer declared, that their Lordships have delivered unto them certain notes in writing to move unto the House touching the Bill against seditious words and rumors uttered against her Majesty; which notes in writing were by Mr. Vice-Chamberlain declared, that their Lordships would feel the opinion of this House, whether this House could be content to leave in force unrepealed so much of the

Statute of the first and second of King Philip and Queen Mary, as concerneth such matter as in this said Bill is not provided for or met with, as partly touching slanderous words against Noblemen and the Lords of the Clergy; And further whether this House can like to have the words [directly or indirectly] added to the said Bill in such parts thereof as do make mention of tending to her Majesties Death. It was upon the Question of these Motions to the House in these points resolved, That the repeal of the said Statute of the first and second of King Philip and Queen Mary should stand in fort as it is already passed by this House in the said Bill, for that her Majesty may at any time by her Commission renew or receive thereof repealed at her Highness Pleasure. And also that these words [or any words directly to that effect] shall be put in, and inserted in their Lordships said notes to be added to the said Bill, in that part thereof which maketh mention of any person willing, wishing or desiring her Majesties Death. Vide concerning this matter on Wednesday the first day of February foregoing.

On Saturday the 18th day of March, the Amendments and Proviso in the Bill against certain deceitful stuff used in the dying of Cloths, was read the third time, and passed upon the question.

Mr. Cromwell one of the Committees for Examination of the returns and defaults noted upon the last calling of the House, made report unto the House of the state of the same Examinations. Whereupon after sundry Motions and Arguments it was resolved by the House, That all such Persons as have not been duly returned into this present Parliament, as in lieu and place of others absent, being either sick or employed in her Majesties Services or otherwise, and not dead, shall be for this time holden excused of their attendance and of their sitting in this House until this present time; but shall from henceforth stand and be utterly discharged and disabled of their said rooms and places, in the stead of such other persons not being dead, unless special Order shall be therein taken by this House to the contrary. And then perusing the said returns and defaults, and also the former Precedents of this House in like Cases, it is adjudged and Ordered by this House, That Edward Flowerdew Esq; Serjeant at Law, and who the last former Session of this present Parliament did stand and appear a Burgess of Castle-Rising in the County of Norff. and was nevertheless returned into this present Session of Parliament a Citizen for the City of Norwich, in lieu and place of Thomas Beaumont sick, shall still stand and remain in his place for Castle-Rising, and not for the said City of Norwich. And for as much also as it is now credibly informed to this House by John Aldrich Gentleman, one of the Citizens returned for the City of Norwich, and also by Sir Roger Woodhouse Knight, one of the Knights for the said County of Norff. and also by Edward Grimstone Esquire, one of the

Burgesses for the Town of *Ipswich* in the County of *Suff.* that the said *Thomas Beamont* is impotent and incurably sick and diseased, it was (at the earnest motion of the said *John Aldrich* made to this House for another Citizen to be chosen and returned for the said City of *Norwich* in the place and stead of the said *Thomas Beamont*) Ordered and resolved by this House, that a Warrant be made forthwith by this House to the Clerk of the Crown-Office in the *Chancery*, for the directing of a new Writ for the chusing and returning of another Citizen of the said City of *Norwich* in the place and stead of the said *Thomas Beamont* accordingly.

And for as much as *Hugh Graves* one of the Citizens for the City of *York*, did the last former Session of this present Parliament move the House and make request, that by Order of this House another Citizen might be chosen and returned for the said City of *York*, in lieu and stead of *Gregory Peacocke* his fellow Citizen, being then and yet still incurably sick and diseased; and for that also that *Robert Askewith* is already returned and hath attended this present Session in the room and place of the said *Gregory Peacocke*, it was now Ordered and resolved by this House, that the said *Robert* shall stand and remain still as a Citizen for the said City of *York*, in the lieu and place of the said *Gregory Peacocke* according to the return thereof made.

The Bill for the Lord *Zauch* was after sundry Motions and Arguments put to the Question and dashed.

It was also upon further consideration of the said returns and defaults Ordered and resolved, That *Thomas Fleming* Gentleman being returned into this Session and appearing in the place of *James Dalton* one of the Burgesses for *Kingstone* upon *Hull* in the County of *York*, being incurably sick and diseased, shall stand and continue according to the return in that behalf already made.

And that *John Fawcher* likewise returned a Burgess for the said Town of *Kingston* upon *Hull* in the lieu and stead of *James Clerkson* sick; and *Samuel Cox* Esquire returned a Burgess for the City of *Rochester* in the County of *Kent*, in the room and place of *William Partridge* Esquire being sick; Sir *William Drury* Knight returned a Burgess for *Castle Riseing* in the County of *Norff.* in the room and place of *Edward Flowerdew* Esq; being sick; *Richard Mollineux* Esquire returned a Burgess for the Town of *Wigan* in the County of *Lancaster*, in the room and place of *Edward Fitton* Esquire, being in the Queens Majesties Service; *Fulke Grevill* Esquire returned a Burgess for the Town of *Southampton*, in the room and place of Sir *Henry Wallop* Knight, being in the Queens Majesties Service, and *Richard Herbert* Esquire returned a Burgess for the Town of *Montgomery* in the room and place of *Rowland Pugh* Esquire, supposed to be dead, but yet known to be in plain life, shall be forthwith removed from their said places; and the said

James Clerkson, *Edward Flowerdew* Esquire, *Edward Fitton* Esquire, *William Partridge* Esquire, Sir *Henry Wallop* Knight, and *Rowland Pugh* Esq; and every of them, shall stand and continue for their said several rooms and places, notwithstanding any such causes of sickness, the Queens Majesties Service, or supposed allegation of being dead. *Vide Januar. 19. & Januar. 21. antea.*

And it is also further agreed upon and resolved by this House, That during the time of sitting of this Court, there do not any time any Writ go out for the chusing or returning of any Knight, Citizen, Burgess, or Baron without the Warrant of this House first directed for the same to the Clerk of the Crown, according to the ancient Jurisdiction and Authority of this House in that behalf accustomed and used.

Nota. This resolution of the House is no other than had been formerly taken by them in the beginning of this Parliament, upon *Saturday* the 21th day of *January* foregoing; which also was further ratified and confirmed by the opinion and judgment of Sir *Thomas Bromley* Knight at this time Lord Chancellor of *England*.

Mr Doctor *Gibbon* and Mr Doctor *Clerk* did bring word from the Lords, that their Lordships did desire present Conference with ten of this House or more touching the Bill lately passed in this House concerning *Iron-Mills*. Whereupon were appointed Mr Comptroller, Mr Treasurer of the Chamber, Sir *Thomas Shirley*, Sir *William Moore*, Sir *Thomas Sampole*, Mr Recorder of *London*, Mr *Norton*, Mr *Cowper*, Mr *Aldersey*, Mr *Gaymes* and Mr *Leife*.

The Bill against certain deceitful stuff used in the dying of Cloths was sent up to the Lords by Mr Comptroller and the said Committees, and the provision passed and assented unto, and amended according to the request of their Lordships.

The Bill for maintenance of Mariners and of the Navigation (all the Amendments, Provisions and Additions being three times read) was passed upon the Question.

Where by a former Order of this House *Arthur Hall* Esquire was committed Prisoner to the Tower of *London*, there to remain by the space of six Months, and so much longer as until himself should willingly make a general revocation or retractation under his hand in writing of certain Errors and slanders contained in a certain Book set forth in print and published in part, greatly tending to the slander and reproach of Sir *Robert Bell* Knight deceased, late Speaker of this present Parliament, and of sundry other particular Members of this House, and also of the Power, Antiquity and Authority of this House, to the satisfaction of this House, or of such Order as this House should take for the same during the continuance of this present Session of Parliament, as by the same Order made and set down by this House upon *Tuesday* being the 14th day of *February* foregoing in this present Session of Parliament more at large doth and may appear:
And

And where also the said *Arthur Hall* hath ever since the said Order taken, remained in the said Prison of the *Tower*, and yet still doth, and hath not at all made any revocation or retractation of the said slanders, errors and untruths, to the satisfaction of this said House according to the said Order; It is now therefore Ordered and resolved by this House, That the further allowance of such revocation or retractation to be hereafter made as aforesaid, shall be referred unto the Right Honourable Sir *Francis Knolles* K^t, one of her Majesties most Honourable Privy-Council and Treasurer of her Highness most Honourable Household, Sir *James Crofte* Knight, one other of her Majesties most Honourable Privy-Council, and Comptroller of her Majesties said most Honourable Household, Sir *Christopher Hatton* Knight, one other of her Highness said most Honourable Privy-Council and Vice Chamberlain to her Majesty, Sir *Francis Walsingham* K^t, and *Thomas Wilson* Esquire her Highness two Principal Secretaries, Sir *Walter Mildmay* Knight, one of her Majesties most Honourable Privy-Council and Chancellor of her Highness Court of Exchequer, and Sir *Ralph Sadler* Knight, one other of her Majesties said most Honourable Privy-Council and Chancellor of her Highness Dutchy of *Lancaster*, being all Members of this House, or unto any three of them, to be by them or any three of them further declared and reported over unto this House in the next Session of Parliament to be holden after the end of this said Session accordingly. *Vide* concerning this matter on *Saturday* the 4th day, *Monday* the 6th day, *Wednesday* the 8th day, and *Tuesday* the 14th day of *February* foregoing.

M^r Serjeant *Anderson* and M^r Doctor *Clerk* did bring word from the Lords, that the Lord Chancellor commanded them to signifie unto this House, that the Queens Majesty purposeth (God willing) to come to the Upper House this present day in the Afternoon. And therefore his Lordship willeth that this House be then there present to attend upon her Highness; and withal that the Bill of the Subsidy shall then be delivered to M^r Speaker to be presented by him in the name of this whole House unto her Majesty.

M^r Doctor *Lewes* and M^r Doctor *Gibbon* did bring from the Lords the Bill for the Subsidy, and withal a report that their Lordships do say, that the use is indifferent either to take it there or send it hither; which being after their departure reported to the House by M^r Speaker, it was by the House resolved, that the use thereof is not indifferent, but always hath been and is, that it be sent down into this House and not left there. (*Quod nota.*)

Mr. Comptroller returning from the Lords with the others which were sent up with them to the Lords, did bring word, that their Lordships are well satisfied with the Messages of this House sent up to their Lordships by them.

Mr. Serjeant *Anderson* and Mr. Doctor *Clerk* did bring from the Lords the Bill against slande-

rous words and rumors uttered against her Majesty, and also the Bill touching Iron-Mills with offer of certain Amendments in both the same Bills; which Bills were then presently amended according to their Lordships request, and sent up unto them by Mr. Treasurer and others.

Post Meridiem.

It is Ordered and resolved by this House upon the question, That every Knight for the Shire that hath been absent this whole Session of Parliament without excuse allowed by this House, shall have by Order and appointment of this House twenty pound for a Fine set and assessed upon him to her Majesties use for such his default, and for and upon every Citizen, Burges and Baron for the like default ten pound.

And for some mild and favourable course of dealing to be used by way of admonition or warning for the better preventing of greater Fines and amerciaments hereafter, It is now Ordered, that all such Knights for Shires, Citizens for Cities, Burgeses for Boroughs, and Barons for Ports, as have been here, and attended at any time this Session of Parliament, and have departed without Licence, shall for his and their such default forfeit and lose the benefit of having or receiving his or their wages due or to be due for his or their attendance in that behalf.

And for the better Execution of this Order the Clerk of the Crown shall not at any time hereafter deliver out any Writ for levying of the Wages or allowance of any such Knight, Citizen, Burges or Baron without Warrant first had from the Clerk of this House for the same.

And it is also further Ordered by this House, that from henceforth no Knight, Citizen, Burges or Baron being a Member of this House, shall upon any occasion depart from his attendance or service in this House without Licence from this House or from the Speaker for the time being, and the same Licence to be Entred and set down by the Clerk of this House accordingly, upon pain of such Fine and Amerciament for his such contempt, over and besides the loss of his Wages or allowance, as to this House upon Examination of the matter shall seem requisite.

M^r Attorney General and M^r Doctor *Lewes* did bring from the Lords the Queens Majesties most Gracious General and free Pardon; which being reported unto the House by M^r Speaker, the said Pardon was once read, and so passed upon the question accordingly.

The Queens Majesty being come into the Upper House of Parliament, and there sitting in her Royal Seat, the Lords and Commons attending upon her Highness, M^r Speaker in his Oration to her Majesty did very aptly and briefly declare the chief and principal purpose in making of Laws to consist of three several parts, to wit, the first for the true and sincere service and glory of God; secondarily for the surety and preservation of her Majesties most Royal Person; and thirdly

thirdly for the good quiet and benefit of the Common-Wealth of this her Highness Realm and Subjects of the same, ascribing the sincere and plentiful Preaching of Gods word with the due and right use of Prayer and Administration of the Sacraments and the true exercise and discipline in the Churches, to be the ordinary means both of the advancement of Gods Glory, her Majesties Safety, and of her Subjects Prosperity, the dew of the word watering and bringing forth in all good Christian Consciences the true knowledge and fear of God, faithful Love and due Obedience unto her Majesty, and perfect unity in the general Society of this Common-Wealth. And the exercise of the Sword of Discipline to cut off, repress and correct all excesses and errors tending to the impeachment of all good effects aforesaid. Declaring further unto her Highness, that her Majesties Nobles and Commons in this present Parliament Assembled, had very carefully gravely and dutifully travelled in this present Session to devise and ordain good and wholesome Laws for those ends and purposes to be established and allowed by her Highness; and also some other good and necessary Laws, as well for the whole State of the Common-Wealth in general, as for the private benefit and necessary relief of sundry her Majesties particular good Subjects: And so recommending all the same unto her Highness, and especially two of them, whereof one doth chiefly and principally tend to the bridling and reforming of her Majesties disobedient and obstinate Subjects, the utter Adversaries of true Religion, and the most pernicious and dangerous Enemies of her Highness most Royal Person, State and Government; the second for the due maintenance and preservation of her Majesties Honour, good Fame and Dignity; humbly besought her Majesty to give life unto all the said Laws by her Royal Assent. And then yielding unto her Highness most humble thanks in the name of the whole House for her Majesties most Gracious good acceptance of their most humble Petition unto her Highness for reformation of some abuses yet remaining in the Church, and most humbly renewing the speedy consideration thereof unto her Majesties good remembrance at her good will and pleasure, did further most humbly beseech her Highness in the name and behalf of the whole State of the Commons of her Realm, that her Majesty would (at their most humble Suit the rather) have a vigilant and provident care of the safety of her most Royal Person against the malicious attempts of some mighty Foreign Enemies abroad, and the Traiterous practices of most unnatural disobedient Subjects both abroad and at home, envying the blessed and most happy and quiet Government of this Realm under her Highness, upon the thread of whose Life only, next under God, dependeth the Life and whole State and stay of every her good and dutiful Subjects.

And withal, that it might please her Highness to have such good care and regard generally for

the maintenance of Mariners and of the Navigation, the very strength and Walls of her Majesties Realms and Dominions, as may seem most convenient unto her Highness most godly wisdom from time to time. And so declaring that her Majesties Nobles and Commons having had consideration of her Highness great Charges many ways for defence of her Realms and People against Foreign Enemies, and other Rebellious Subjects, both already employed and hereafter to be employed, have granted unto her Highness one Subsidy and two Fifteenths and Tenths, which they besought her Highness to accept in good part according to their humble Duties; and gave her Majesty most humble thanks for her Highness most Gracious, general and free Pardon.

Which done, the Lord Chancellor by her Majesties Commandment, Answering very Excellently and briefly the parts of Mr Speaker his Oration, did amongst other things deliver her Majesties most hearty thanks unto both Houses for their great and good care for the safety of her Highness Person, and also of her Honour, good Fame and Dignity, not yet comprehending within those general thanks such Members of the House of Commons as have this Session dealt more rashly in some things than was fit for them to do; and giving them withal like hearty thanks for the said Contribution of a Subsidy and two Fifteenths and Tenths, in that it was granted as willingly and frankly, and also as largely and amply, and to be Answered as speedily, as any other like ever hath been; taking the same in as good part as if it had been to her own private use; where in very deed it is to be employed to the general service and benefit of the whole Realm. And so giving her Royal Assent to thirty Acts (fifteen publick and fifteen private) the said Lord Chancellor did by her Highness Commandment Prorogue this present Parliament until the 24th day of *April* next coming.

Nota, That all this days Passages with the manner of the Conclusion of the Parliament are wholly transcribed out of the Original Journal Book of the House of Commons, and in that respect are here more largely set down than in the Journal of the Upper House; and the rather because there is no Conclusion of any Parliament so exactly described in any other of the said Original Journal Books of the House of Commons during the Queens Reign.

The third and last Session finally of this present Parliament was upon the foresaid 24th day of *April* Prorogued again unto the 29th day of *May*; and was at last after seventeen other Prorogations Dissolved by vertue of her Majesties Commission under the Great Seal of *England* in that behalf directed, upon the 19th day of *April*, in the twenty fifth year of her Majesties Reign.

THE JOURNAL OF THE House of LORDS.

A Journal of the Passages of the House of Lords in the Parliament holden at Westminster, Anno 27 Regiæ Eliz. Anno Domini 1584. which began there on Monday the 23th Day of November, and then and there continued until the Prorogation thereof on Monday the 29th Day of March Anno Domini 1585. after which it was lastly Dissolved on Wednesday the 14th Day of September, Anno 28 Regiæ ejusdem, Anno Domini 1586.

THIS Parliament Summoned and holden in the twenty seventh year of her Majesties Reign, lasted a long time in respect of the continual sitting of either House for the space of about three Months, at two several Meetings, between which there intervened only one Adjournment of about forty days space. There were no publick matters of any great consequence debated in it, but many Excellent Passages for the Power, Priviledge and Order of the Upper House may be observed from it. At the first Prorogation thereof on Monday the 29th day of March in Anno 27 Regiæ Eliz. Anno Domini 1585. there passed near upon fifty several Acts or Statutes publick and private; from which time it continued until the Dissolution thereof as abovesaid.

The day before the Parliament began being Sunday, and the 22th day of November, the Original Journal-Book setteth down amongst others two unusual or extraordinary Proxies to have been introduced or returned thereon into the hands of the Clark of the Upper House; for any Proxy if it be delivered into the hands of the said Clark, whether it be before the Parliament begin or after, is well returned: and it is most likely that these two with some other ordinary or usual Proxies which are here omitted, were delivered as aforesaid this Sunday towards the Evening, because the Parliament was to begin

the next Morning. Which said Letters Procuratory are Entred as aforesaid in manner and form following.

22^o die Novembris *introducæ sunt literæ Procuratorie Johannis Episcopi Carliolen' in quibus Procuratorem suum constituit Johannem Episcopum London.*

Item introducæ sunt literæ Procuratorie Willielmi Episcopi Cestren' in quibus Procuratorem suum constituit Edwinum Archiepiscopum Eboracen'.

Nota. That here two Bishops did constitute but one Proxy apiece, whereas it seldom happeneth that any spiritual Lord nominateth fewer than two. But for any further observation upon the Proxies returned this Parliament, *Vide* on Friday the 27th day of this instant November following.

On Monday the 23th day of November the Parliament began according to the Summons. Which had been sent forth.

The Queens Majesty went to this Parliament in her accustomed Pompous and Royal manner, being attended first unto the Cathedral Church of Westminster from her Palace of Whitehall by the Lords and others; where having heard a Sermon, she was afterwards conducted by them in the like Royalty into the Parliament Chamber, commonly called the Upper House, whither she came about two of the Clock in the Afternoon.

Nota. That the whole manner and form aforesaid

said of her Majesties most Royal going to this Parliament, is set down at large in Mr *Mills* his Catalogue of Honour, imprinted at *London Anno Domini 1610. pag. 64.*

The Queen and the Lords Spiritual and Temporal being all set in their severall places, the Knights, Citizens and Burgesſes of the House of Commons had notice thereof; who thereupon repairing thither, as many as conveniently could, were let in, and standing all together at the Rail or Bar at the lower end of the Upper House, Sir *Thomas Bromley* Knight Lord Chancellor, by the Queens Commandment declared unto them the Causes of the Assembling of this Parliament.

But what those Causes were, neither the Original Journal-Book of the Upper House nor that of the House of Commons do at all mention, in setting down the other daily Passages of this Parliament *de Anno isto 27 Regine Eliz.* But in respect they are set down in the above-mentioned Catalogue of Honour, imprinted at *London Anno Domini 1610. pag. 67.* and that it is most probable that they were there inserted out of the Collections or Memorial of some Member of the House of Commons at this Parliament, therefore I have thought good to supply it *verbatim* as it is there set down.

The said Lord Chancellor declared unto them in her Majesties name, that this Assembly of Parliament was for three causes called, *viz.* For the glory of Almighty God and the furthering of Religion, for the health and preservation of her Royal Majesty, and the welfare of the Commonwealth. Which after that he had a loud and most eloquently at large declared, turning his Speech unto the Knights and Burgesſes standing on a heap together below, he willed them to make choice of their *Prolocutor*, and to give notice of him so Chosen unto the Lords of the Privy-Council, from whom they should expect what the Queens Pleasure and Answer was concerning him so Chosen to be afterward presented.

The substance of this Speech being so shortly set down in the said Catalogue of Honour, I thought good to transcribe, although it were imprinted, because it doth much augment and perfect this present Journal of the Upper House. The residue whereof doth next in order follow out of the Original Journal-Book of the same House, there being only added now and then, as the occasion offered it self, some Observations and Animadversions upon it.

Nota, Also that no names of any of the Lords Spiritual or Temporal are noted to have been present this day, which happened through the negligence of the Clerk of the Parliament; but it may be conjectured who they were by the names of such whose presence is noted on *Thursday* next following being the 26th day of this instant *November*, on which said day the presence of such Lords as attended this Parliament is first marked.

Then follow the names of the Receivors and

Triors of Petitions, which is the more remarkable at this time because it is said that the Clerk of the Parliament did read them by the Lord Chancellors Commandment, whereas it should seem at other times, and which is agreeable also to the course at this day, he doth presently stand up of himself as soon as the Lord Chancellors or Lord Keepers Speech is ended, and reads the said Receivors and Triors names; yet the entrance aforesaid is at this time set down in the said Journal-Book in manner and form following.

Tunc (having before-mentioned the Lord Chancellors Speech) *Parliamenti Clericus ex mandato Cancellarii omnibus Petitionibus exhiberi volentibus Receptorum & Examinatorum nomina forma subsequenti recitavit.*

Then follows all in French, of which the names were these.

Receivors of Petitions for *England, Ireland, Wales* and *Scotland.*

Sir *Christopher Wray* Lord Chief Justice of *England*, Sir *Gilbert Gerrard* Master of the Rolls, Sir *Thomas Gawdy* Knight one of the Justices of the Kings-Bench, Doctor *Clarke* and Doctor *Ford.*

Receivors of Petitions for *Gascoigne* and other Countries beyond the Seas and the Isles.

Sir *Edmund Anderson* Knight Lord Chief Justice of the Common-Pleas, Sir *Roger Manwood* Lord Chief Baron, *Francis Windam* one of the Justices of Doctor *Ambery* and Doctor *Barkley.*

Such as will deliver Petitions must so do within six days next ensuing.

Triors of Petitions for *England, Ireland, Wales* and *Scotland.*

The Archbishop of *Canterbury*, the Earl of *Leicester* Lord High Steward of *England*, the Earl of *Darby*, the Earl of *Rutland*, the Bishop of *Winchester*, the Bishop of *Salisbury*, the Lord *Howard* of *Effingham* Chamberlain of the Queens House, the Lord *Gray* of *Wilton*, the Lord *North.*

All these or any four of them calling unto them the Lord Keeper of the Great Seal, the Lord Treasurer and also the Queens Serjeants, at their leisure to meet and hold their place in the Chamberlains Chamber.

Triors of Petitions for *Gascoigne* and the Countries beyond the Seas, and the Isles.

The Archbishop of *York*, the Earl of *Oxford* Great Chamberlain of *England*, the Earl of *Warwick*, the Earl of *Pembroke*, the Bishop of *Norwich*, the Bishop of *Chester*, the Bishop of *Rocheſter*, the Lord *Cobham*, the Lord *Lumley* and the Lord *Buckhurst.*

All these or any four of them, calling to them the Queens Serjeants and the Queens Attorney and Solicitor, to hold their place when their leisure did serve to meet in the Treasurers Chamber.

Breve returnatum (which was returned this Morning) *quo Johannes Episcopus Glouceſtren. preſenti Parlamento intereſſe ſummonitus fuit, qui admiſſus eſt ad ſuum præbeminentia ſedendi in Parlamento locum, ſalvo jure alieno.*

Dominus

Dominus Cancellarius continuavit præsens Parliamentum usq; in diem crastinum horâ nonâ.

On *Tuesday* the 24th day of *November*, the Lords met in the Upper House, but nothing was done, saving the continuance of the Parliament by the Lord Chancellor until nine of the Clock the next Morning.

On *Wednesday* the 25th day of *November* there was a like meeting of the Lords, but nothing done saving the continuance of the Parliament by the Lord Chancellor unto two of the Clock in the Afternoon the day following: But no presence of the Lords is noted on this day in the Original Journal-Book.

On *Thursday* the 26th day of *November*, the Commons having chosen their Speaker, who upon his Presentment to the Queen was this day to be allowed of in the said place, her Majesty Accompanied with divers of the Nobility came into the Upper House about three of the Clock in the Afternoon, whose name and the names of such Lords Spiritual and Temporal as are marked in the Original Journal-Book of this Parliament to have been present this day, do here ensue.

Regina.

Archiepiscopus *Cantuar.*
Dominus *Thomas Bromley* Miles, Cancellarius.
Archiepiscopus *Eboracen.*
Dominus *Burleigh* Dominus *Thefaurarius Angliæ.*
Marchio *Winton.*

Comites.

Comes *Oxon.* Magnus Camerarius.
Comes *Arundell.*
Comes *Kantiae.*
Comes *Darbiæ.*
Comes *Wigorn.*
Comes *Rutland.*
Comes *Cumberland.*
Comes *Suffex.*
Comes *Bathon.*
Comes *Pembrooke.*
Comes *Hartford.*
Vice-Comes *Mountague.*
Vice-Comes *Bindon.*

Episcopi.

Episcopus *London.*
Episcopus *Winton.*
Episcopus *Meneven.*
Episcopus *Sarisburien.*
Episcopus *Petriburgen.*
Episcopus *Normicen.*
Episcopus *Roffen.*
Episcopus *Cestren.*

Barones.

Dominus *Howard* Camerar.
Dominus *Zouch.*
Dominus *Willoughbie.*
Dominus *Dacres.*
Dominus *Cobham.*
Dominus *Grey de Wilton.*
Dominus *Lumley.*
Dominus *Stourton.*
Dominus *Mountjoy.*
Dominus *Darcie.*
Dominus *Mounteagle.*
Dominus *Windsor.*
Dominus *Wentworth.*
Dominus *Borough.*
Dominus *Cromwell.*
Dominus *Evers.*
Dominus *Wharton.*
Dominus *Rich.*
Dominus *Willoughby de Parham.*
Dominus *Darcy de Chiche.*
Dominus *North.*
Dominus *Shandois.*
Dominus *St John de Bletsoe.*
Dominus *Buckhurst.*
Dominus *de la Ware.*
Dominus *Cheyne.*
Dominus *Norris.*

Her Majesty with the Lords being set, the Knights, Citizens and Burgeses of the House of Commons repaired to the Upper House with *John Puckering* Serjeant at Law their Speaker, and being as many as could conveniently let in, the said Speaker was led up between two of the most eminent Personages of the House of Commons to the Rail or Bar at the lower end of the Upper House; and being there placed, after humble reverence made, he declared, that the said House of Commons amongst many other more able Members of the said House had Elected and Chosen him for their Speaker, and that knowing his manifold weakneses and inability to undergo so great a Charge, he did there implore her Gracious Majesty to free him from the same, and to Command them to Elect and chuse amongst themselves some other more Experienced and better fitted for that employment.

To which the Lord Chancellor having received Instructions from her Majesty Answered, that the said Speaker had shewed a great deal of humility and modesty in disabling himself, but that her Highness well knowing his great sufficiency, did very well allow and approve of the choice which the Knights, Citizens and Burgeses of the said House of Commons had made of him to be their Speaker.

Whereupon the said Speaker after humble reverence made and many expressions of his great thankfulness to her Majesty for her gracious Approbation of him made certain Petitions of Course in the name of the House of Commons,

viz. for freedom of speech and freedom of access to her Majesty; and that themselves and their necessary attendants might be exempted from Suits and Arrests in such manner and form as hath been accustomed; and lastly, that if himself should in any thing mistake or misreport the sayings or doings of the said House it might be imputed unto himself, and that her Majesty would be graciously pleased to pardon it.

To which Speech the Lord Chancellor having further instructions from her Majesty replied, that all such liberties and immunities as had been formerly enjoyed in the like case in the times of any of her Majesties most Royal Progenitors, should still be continued unto them.

The Writ was returned this day whereby Henry Lord Wentworth was Summoned to the Parliament, who thereupon *admissus fuit ad suum præbeminentie in Parlamento sedendi locum, salvo cuicumque jure suo.*

Then followed the continuance of the Parliament which is Entred in the Original Journal-Book *de Anno isto 27 Regine Eliz.* in these words following.

Dominus Cancellarius continuavit præsens Parliamentum usq; in diem Sabbati prox. horâ consueta.

On Friday the 27th day of November, although the Upper House late not (because the Parliament had been continued yesterday unto Saturday Morning at nine of the Clock) yet were divers Proxies returned or introduced, whereof the only unusual or extraordinary one was this ensuing, *viz.*

27 die Novembris introductæ sunt literæ Procuratoriæ Henrici Comitæ Huntingtoniæ, in quibus Procuratores suos constituit Franciscum Comitem Bedford & Robertum Comitem Leicester.

Nota, That whereas the Temporal Lords do very seldom constitute more than one Proctor, the Earl of Huntington here nominateth two, which appeared also, by the other Proxies returned this Parliament, for of three other Earls and eleven Barons who were absent this Parliament by her Majesties Licence, not any of them constituted more than one Proctor apiece; whereas on the other side the spiritual Lords do for the most part nominate two Proctors at the least, for of nine Bishops who were likewise absent during this Parliament, two of them only nominated each his Proctor. *Ut vide* on Sunday the 22th day of this instant November foregoing, and the other seven made every of them two Proctors.

Nota also, that Robert Dudley Earl of Leicester had this Parliament ten several Proxies sent unto him, all Entred in the beginning of the Original Journal-Book in such order as they now follow, *viz.* from Edward Lord Dudley, Henry Lord Scroop, Lodowick Lord Mordant, Edward Lord Stafford, Henry Lord of Abergavenny, Edward Earl of Lincoln, Ambrose Earl of Warwick, Henry Earl of Huntington (who constituted Francis Earl of Bedford joint Proctor with him)

Lord Audeley, and John Lord Lumley. By which and many other Precedents in all other Parliaments it plainly appeareth, that any Lord of the Upper House was capable of as many Proxies as should be sent unto him, until in *Anno 2^{do} Caroli Regis Anno Domini 1626.* It was Ordered by the Lords then sitting in Parliament, that no Member of the said House should be capable of above two Proxies at the most.

On Saturday the 28th day of November, to which day the Parliament had been last continued, three Bills had each of them one reading; of which the first being the Bill to provide remedy against fraudulent Conveyances was read the first time.

Hodie returnatum est breve quo Henricus Comes Suffex præsentis huic Parlamento interesse summonebatur, qui ad suum præbeminentie in Parlamento sedendi locum admissus fuit, salvo jure alieno.

Nota, That the daily continuing of the Parliament in these words, *Dominus Cancellarius continuavit præsens Parliamentum, &c.* is hereafter omitted as matter of course, unless where somewhat in it doth happen extraordinary or unusual in respect of the time, place or manner.

On Monday the 30th day of November, to which day the Parliament had been last continued, three Bills of no great moment had each of them one reading; of which the first was the Bill for appointing fit and convenient places for Landing and Shipping of Merchandize.

On Tuesday the first day of December, whereas James Diggs, one of the ordinary Gentlemen of my Lord's Grace of Canterbury, was committed to the Fleet upon a *Reddit se* in the Exchequer, since the beginning of this present Parliament; the Lords at the Motion of the Lord Archbishop of Canterbury, claiming the ancient privilege of this High Court, gave Commandment to the Gentleman Usher, that the said James should be brought before them.

And this day the said Lords having openly heard both Sir Roger Manwood then Lord Chief Baron of the Exchequer, and the same James Diggs; They Ordered that the said Diggs by vertue of the privilege of this Court, should be enlarged and set at liberty.

And it was further Ordered, that the Warden of the Fleet should be discharged of the Prisoner and of the Action that might be brought against him the said Warden of the same.

Lastly, Touching the Lord Chief Baron, the said Lords have resolved for such causes and reasons as they have heard, that the said Lord Chief Baron had not committed any contempt against this Right Honourable Court.

And further Ordered 13^o die Decembris, that the appearance of the same James Diggs, by rendering himself into the Exchequer, was and should be a sufficient discharge of his Sureties and their Bonds, and that the Bonds shall be redelivered.

Provided nevertheless, that for as much as the said James Diggs was not Arrested in Execution

at the Suit of *Richard Howe*, but was committed after Judgment by the Barons of the Exchequer upon a *Reddit se*, for discharge of his Sureties. It is therefore further Ordered by the said Lords, that touching the sum of money recovered by the said *Howe* against the said *James Diggs*, the said *Howe* and *James Diggs* shall stand to such Order as the Lord Chief Baron and other of the Barons of the Exchequer shall set down for the same. *Vide* more afterwards concerning this matter upon *Monday* the 14th, and on *Tuesday* the 15th day of this instant *December* following.

On *Thursday* the third day of *December*, to which day the Parliament had been on *Tuesday* last continued, the Bill for fit and convenient places for landing and shipping of Merchandize was read *secunda vice*, and then committed to the Lord Treasurer and others, and to the two Senior Barons of the Exchequer.

Nota, That here two Judges who are but Assistants unto the Upper House, are made joint Committees with the Lords.

On *Friday* the 4th day of *December*, Two Bills were sent up to the Lords from the House of Commons; of which the first being an Act for the maintenance of Navigation was read *prima vice*, and the second touching the Clothiers of *Essex* was read *prima & secunda vice*, and then committed.

On *Saturday* the 5th day of *December*, Three Bills of no great moment had each of them one reading; of which the second being the Bill for the Inning of *Erith* and *Plursted* Marsh, was read *secunda vice*, and committed unto three Earls, one Bishop and five Barons: which Committees did appoint to hear amongst themselves as well the Parties Owners, as Innors touching the same Bill.

The Bill also concerning the *Essex* Clothiers which had been sent up yesterday to the Lords from the House of Commons, was this day upon the third reading and conclusion thereof sent back again thither.

On *Monday* the 7th day of *December*, to which day the Parliament had been last continued, two Bills had each of them one reading; the first for maintenance of Navigation, and the second for increase of Mariners.

Two Bills also were sent up to the Lords from the House of Commons; the one touching the *Essex* Clothiers, the other for the better and more reverent observing of the Sabbath day.

Nota, That this Bill concerning the Sabbath day was long in passing the two Houses, being committed, and amendments upon amendments added unto it, as *Vide* afterwards on *Tuesday* the 8th day, on *Monday* the 14th day, and on *Saturday* the 19th day of this instant *December* ensuing; as also on *Wednesday* the third day, and on *Saturday* the 6th day of *March* following. *Vide etiam* on *Wednesday* the 9th day of this instant *December* foregoing.

Whereas the Lord Viscount *Bindon* moved the Lords for the priviledge of the House for

Robert Finnies, alledging that he was his Servant, the Lords gave Commandment to the Gentleman-Usher to go to the Counter in *Woodstreet*, where the said *Robert Finnies* then lay upon an Execution, and to bring him and the Parties that Arrested him before them.

And this day the said Lords after the hearing of the Cause thought it not convenient that the said *Robert Finnies* should enjoy the priviledge of this House, as well because he claimed not the priviledge when he was first Arrested, nor in the Counter when he was charged with the Execution; as also for that he was not a menial Servant, nor yet ordinary Attendant upon the said Viscount. And further Ordered, that the Officers of the Sheriffs of *London* should take again in Execution the said *Finnies* and convey him to the place from whence he came, and that the bringing of the said *Finnies* before the said Lords at their Commandment should not be in any wise prejudicial to the Sheriffs or their Officers.

On *Tuesday* the 8th day of *December*, the Bill for the better and more reverent observing of the Sabbath day was read *prima vice*. *Vide* concerning this Bill on *Monday* the 7th day of this instant *December* foregoing.

On *Wednesday* the 9th day of *December*, Five Bills had each of them one reading; of which the first being the Bill for the increase of Mariners was read the second time, and thereupon committed.

And the second of the said Bills being for the better and more reverent observing of the Sabbath day was read the second time and committed to the Archbishop of *Canterbury*, the Lord Treasurer, the Lord Steward, the Earl of *Kent*, the Earl of *Darby*, the Earl of *Suffex*, the Earl of *Bedford*, Viscount *Mountague*, the Bishop of *London*, the Bishop of *Winchester*, the Bishop of *Salisbury*, the Bishop of *Chester*, the Lord Chamberlain, the Lord *Zouch*, the Lord *Willoughby*, the Lord *Grey*, the Lord *North*, the Lord *Norris*, the Lord Chief Baron, and Justice *Windham*.

Nota, That here two Judges being here meer Assistants of the Upper House were made joint Committees with the Lords; whereas of later times they are always Commanded to attend the Lords Committees, of which also there was another Precedent this Morning.

The Bill to provide remedy against fraudulent means used to defeat Wardships, Liveries and premier seisin was read *secunda vice*, and committed to the Lord Treasurer (being Master of the Wards) to two Earls, Viscount *Mountague*, two Bishops, five Barons, the two Chief Justices, and the Queens Attorney.

The continuance or Adjournment of the Parliament this day is not at all Entred in the Original Journal-Book, which seemeth to have happened through the Clerks negligence.

On *Thursday* the 10th day of *December*, Three Bills of no great moment had each of them their

first reading; of which the first was concerning Sir *Thomas Lucy* Knight, and others.

On *Saturday* the 12th day of *December*, to which day the Parliament had been on *Thursday* last continued, Five Bills of no great moment had each of them one reading; of which the last being the Bill to provide remedy against fraudulent Conveyances, and another concerning certain assurances of Sir *Thomas Lucy* and others, were after the third reading sent down unto the House of Commons.

A Bill lastly being for the assurance of certain Lands unto *George Chewne* Esquire, and others in Fee-simple, was sent up to the Lords from the House of Commons.

On *Monday* the 14th day of *December*, to which day the Parliament had been on *Saturday* last continued, the Bill for the better and more reverent observing of the Sabbath day, with certain amendments, was read *tertiâ vice*, and with another Bill of no great moment was sent down to the House of Commons by two Doctors.

Nota, That though this Bill were upon *Wednesday* last past, being the 9th day of this instant *December*, referred to Committees; yet no mention is made in the Original Journal-Book, when it was again returned or brought into the House by the said Committees, by whom it is most probable that these amendments were added unto it, and for the passing of which the said Bill was at this time sent down to the House of Commons, having formerly passed that House, and been sent up from thence to the Lords (before the aforefaid new amendments had been added by them) on *Monday* last past being the 7th day of this instant *December*.

The Bill touching the Lord *Dacres* and the Lord *Norris* was read *prima vice*.

Memorand. That upon the Petition of the Lord *Norris*, the Lords Ordered that he and the Lord *Dacres* with their Council should be heard upon *Saturday* next to Answer the said Bills.

Memorand. That touching the former Order Entred *primo die Decembris* concerning *James Diggs*, for that there wanted words for the discharge of the Bond and Sureties of the said *James Diggs*; This day the Lords Ordered that the appearance of the said *James Diggs* by rendering himself in the Exchequer, was and should be a sufficient discharge of his Sureties and their Bonds, and that the Bonds should be redelivered, and that this Order should be added to the former Order.

Memorand. That where the said *James Diggs* exhibited to the Court a Bill of complaint in form of supplication against Sir *Roger Manwood* Knight Lord Chief Baron, the Lords having heard the Parties and the Witnesses of Mr *Diggs*, and deliberately considered the Contents thereof, with one consent agreed and adjudged, that the said complaint was untrue and unjustifiable against the Lord Chief Baron: And further Ordered, that the said *James Diggs* by humble submission and open recognition should confess and acknow-

ledge his fault. And that the Earl of *Rutland*, the Bishop of *Winchester*, the Lord *Lumley*, the Lord *North*, and the Lord St *John* of *Bletsoe*, the Master of the Rolls and Mr Serjeant *Gawdy* should peruse and consider the said recognition, whether it were made in due form, and that then it should be Entred on Record. *Vide* touching this matter on *Tuesday* the first day of this instant *December* foregoing.

On *Tuesday* the 15th day of *December* four Bills of no great moment had each of them one reading; of which the first being the Bill for confirmation of her Majesties Letters Patents granted to *Queens-Colledge* in *Oxford* was read *secundâ vice*, & commissa ad ingrossandum.

This day *James Diggs* Gent. did according to their Lordships Order made yesterday, humbly submit himself in manner and form following, as it stands Entred upon Record in the Original Journal-Book of this Parliament.

The humble Submission of *James Diggs* unto the High Court of Parliament, as well for his contempt unto the said Court, as unto Sir *Roger Manwood* Lord Chief Baron, by his untrue and unadvised Speeches in his Bill of complaint.

Whereas I *James Diggs* did of late exhibit a Bill of complaint unto your honourable Lordships in this High Court of Parliament, against the said Lord Chief Baron, wherein amongst other things is contained as followeth, that is to say, That the said Lord Chief Baron doth still continue an obstinate intention to frustrate your Lordships honourable Order, taken for the discharging of the great Bonds of the said *James Diggs* his Sureties, boldly saying, that the same your Lordships honourable Order should be undone or brought about again, as by the said Bill of complaint doth appear. And whereas also it pleased your most honourable Lordships upon the humble Petition of me the said *James Diggs* to call before your honourable Lordships that Witness which I the said *James Diggs* did avow for the proof of the Allegations before rehearsed in the said Bill of Complaint against the said Lord Chief Baron, which Witness being heard and examined at large touching the said Allegations, with the circumstances of the same openly before your honourable Lordships in this High Court of Parliament, it hath plainly and evidently appeared that there was no such obstinate intention in the said Lord Chief Baron, nor that he did utter the said words or Speeches above-mentioned. Whereupon it hath pleased your honourable Lordships to Order that I the said *James Diggs* should before your Lordships openly in this honourable Court of Parliament recognize my fault for this my untrue and unadvised complaint against him.

Wherefore I the said *James Diggs* being now heartily sorry for my said untrue and unadvised complaint in the Speeches aforefaid exhibited against the Lord Chief Baron, do openly before your Lordships in this most High Court of Parliament confess and acknowledge my said offence
in

in my said unadvised and untrue complaint made against the said Lord Chief Baron. And do here before your Lordships heartily pray and desire the said Lord Chief Baron to remit and forget my said offence in my untrue and unadvised complaint made against him; and withal do most humbly beseech all your Lordships to pardon my contempt and offence committed to this most High Court in exhibiting unto your Lordships of the said unadvised and untrue complaint.

Vide the former proceedings of this case of *James Diggs* Gentleman on *Tuesday* the first day, and on *Monday* the 14th day of this instant *December* foregoing.

Nota also, That there is no continuance or adjournment of the Parliament by the Lord Chancellor in usual form entred in the Original Journal-Book, which seemeth to have happened through the negligence of the Clerk of the Parliament; but it is easie to be conjectured the Lord Chancellor continued the Parliament unto nine of the Clock in the forenoon of *Wednesday* next following.

On *Wednesday* the 16th day of *December* two Bills of no great moment had each of them one reading; of which the second being the Bill against scandalous Libelling was read *secundâ vice*, and committed to the Archbishop of *Canterbury*, the Archbishop of *York*, the Lord Treasurer and others, the Master of the Rolls, the two Chief Justices, the Queens Serjeant and Attorney.

Nota, That here not only the Judges which are but Assistants to the Lords, but also the Queens Council, which are but meer Attendants upon the upper House, are made joynt Committees with the Lords.

On *Thursday* the 17th day of *December* the Bill for restitution in blood of *Thomas Howard*, Son of *Thomas Howard*, late Duke of *Norfolk*, was read *primâ vice*.

And the same Bill was again read *secundâ & tertiâ vice*, and by all the Lords concluded and sent to the House of Commons by two Doctors being Masters of the Chancery.

Nota, The speedy passing of this Bill by vouchsafing of it three readings at one time each after other, did expresse the special desire of the Lords to pass this Bill with as much honour as lay in them to do.

Eight other Bills of no great moment had each of them one reading; of which the second being the Bill for the paving of *Newark* upon *Trent* in *Com. Nott.* was read *tertiâ vice & conclusa* and sent to the House of Commons.

On *Saturday* the 19th day of *December*, to which day the Parliament had been on *Thursday* last continued, four Bills were brought up to the Lords from the House of Commons; of which the last was the Bill for the restitution in blood of the Lord *Thomas Howard*, which it seemeth the House of Commons passed with great expedition, having given it one reading yesterday

morning, when they sent it again up to the Lords, as appeareth by the Original Journal-Book of the House of Commons *de Anno isto 27^o Regine Eliz.* pag. 44, & 50.

The Bill also for the paving of *Lewes* in the County of *Sussex* was read *primâ vice*.

Lectæ sunt the Reasons and Allegations of the Lord *Norris*, why the Bill exhibited by the Lord and Lady *Dacres* should not be enacted.

Memorandum. This day the Lords, as they had ordered before, having heard both the Council of the Lord *Dacres* and Lord *Norris* and *Samson Leonard* Esquire, upon offer and agreement of the parties to commit the Cause to the hearing of four of the Lords and two of the Judges, the Lords thought it most convenient that they should be named by the parties themselves. The Lord *Dacres* and *Samson Leonard* named *William Lord Burleigh* Lord Treasurer, *Robert Earl of Leicester* Lord Steward, and Sir *Roger Manwood* Knight Lord Chief Baron. The Lord *Norris* named the Earl of *Kent*, the Earl of *Bedford* and Sir *Gilbert Gerrard* Knight Master of the Rolls. And further Ordered, That the Lords and Judges should end the matter between the said parties before the next Session of Parliament if they could; and if they could not, then to make Report thereof to the whole House. And further Ordered, That all the parties should have Letters directed to such Witnesses to appear before the said Lords as they thought convenient; and that the said Lords should have Authority to examine all parties upon their Oaths, if occasion so required.

Memorandum, That whereas the Lords received a Bill from the House of Commons, *viz.* for the better and more reverent observing of the Sabbath day, the said Lords having passed the same with some amendments, sent down the said Bill to the House of Commons, who sent up the same with other amendments of theirs; which because the Lords thought it not to stand with the Order of the House to pass the same Bill again with their new amendments, they returned the said Bill to them again, and signified the same unto them by Mr Serjeant *Gawdy*, &c.

On *Monday* the 21th day of *December*, *Conse- dentibus Proceribus Dominus Cancellarius exposuit Regiam Majestatem satis perpendere Festum solemne Nativitatis Domini in proximo esse, nec posse ante idem hoc Parliamentum terminari, nec in longum tempus prorogari; propter quas & alias causas & considerationes idem Cancellarius jussu suæ Majestatis lectis Literis Patentibus magno Sigillo suo sigillat. hoc Parliamentum in quartum diem Februarii prox' sequentem adjournavit, adhortatusq; est omnes & singulos ut tunc adsint, facturi quod decuerit. Earumq; autem tenor sequitur in hæc verba.*

Elizabetha Dei gratiâ Angliæ, Franciæ & Hi- berniæ Regina Fidei Defensor, &c. Reverendissimo in Christo Patri Johanni Cantuar' Archiepiscopo, totius Angliæ Primati & Metropolitano,

tano, & prædilecto & fideli Consiliario suo Thomæ Bromley Militi Domino Cancellario Angliæ, ac etiam Reverendissimo in Christi Patri Edwino Eboracen' Archiepiscopo Angliæ Primati & Metropolitano, necnon prædilecto & fideli Consiliario suo Willielmo Domino Burleigh Domino Thesaurario Angliæ, ac charissimo consanguineo Edwardo Comiti Oxon' magno Camerario Angliæ, ac etiam charissimis consanguineis & consiliariis suis Edwardo Comiti Lincoln' magno Admirallo suo Angliæ, Georgio Comiti Salop' Comiti Marefchalco Angliæ, Roberto Comiti Leicester magno Seneschallo Hospitii sui, necnon charissimis consanguineis suis Philippo Comiti Arundel, Henrico Comiti Kantiæ, Henrico Comiti Darbiæ, Willielmo Comiti Wigorn', Edwardo Comiti Rutland, Georgio Comiti Cumberland, Henrico Comiti Suffex, ac charissimis consanguineis & consiliariis suis Ambrosio Comiti Warwici Magistro Ordinationum suarum, Francisco Comiti Bedford, ac etiam charissimis consanguineis suis Henrico Comiti Pembroke, Edwardo Comiti Hartford, Anthonio Vicecomiti Mountague, necnon Reverendis in Christo Patribus Johanni Episcopo London, Thomæ Episcopo Winton', ac prædilectis & fidelibus suis Carolo Domino Howard Domino Camerario Hospitii sui, Edwardo Domino Zouch, Peregrino Domino Willoughby, Edwardo Domino Morley, Willielmo Domino Cobham Domino Gardiano quinq; Portuum, ac etiam prædilecto & fideli suo Henrico Domino de Hunsdon Domino Gardiano Marchiarum Orientalium versus Scotiam, Salutem. Cùm nuper pro quibusdam arduis & urgentibus negotiis nos, statum & defensionem Regni nostri Angliæ & Ecclesiæ Anglicane concernentibus, præfens hoc Parliamentum nostrum apud Civitatem nostram Westmonasterii vicesimo tertio die Novembris ultimo præterito inchoari & teneri ordinaverimus, à quo die idem Parliamentum nostrum tunc & ibidem tentum & continuatum fuerat usque in instantem vicesimum primum diem Decembris: Sciatis tamen quia negotia Parlamenti nostri in eodem communicata ante Festum Natalis Domini nunc prox' instantis terminari non possunt, & propter alias causas & consideraciones nos specialiter moventes, prædictum Parliamentum nostrum & omnes causas & materias inceptas & non adhuc terminatas adjornand' duximus. De fidelitate igitur, prudentiâ & circumspèctione vestris plurimum confidentes, de avisamento & assensu Concilii nostri assignavimus vos Commissionarios nostros, dantes vobis & aliquibus sex vel pluribus vestrum tenore præsentium plenam potestatem & auctoritatem hoc instante die Lunæ ad præsens Parliamentum nostrum, ac omnia negotia & materias supradict' adhuc ut præfertur non terminata, nomine nostro ad & in quartum diem Februarii jam prox' futurum usque prædictam Civitatem nostram Westmonasterii adjornand' & continuand' ibidem tunc tenend' & prosequend'. Et ideo vobis mandamus, quòd circa præmissa diligenter intendatis, ac ea in forma prædicta effectualiter expleatis. Damus autem universis & singulis Archiepiscopis, Marchionibus, Comitibus, Vicecomitibus, Episcopis, Baroni-

bus, Militibus, Civibus & Burgensibus, ac omnibus aliis quorum interest ad dictum Parliamentum nostrum conventuris, tenore præsentium firmiter in mandatis, quod vobis in præmissis faciend', agend' & exequend' pareant, obediant & intendant, prout decet. In cujus rei testimonium has Literas nostras fieri fecimus Patentes. Teste meipsa apud Westmonasterium vicesimo primo die Decembris, Anno Regni nostri vicesimo septimo.

Nota, That by these Letters Patents the Parliament was adjourned forty four days, viz. from Monday the 21th day of December unto Thursday the 4th day of February ensuing. From which, as also from many other like Precedents, it appeareth, that it is and always hath been the power of the Prince not only to summon, dissolve and prorogue, but also to adjourn his Parliament at his pleasure; yet this must be done either by himself in person or by matter of Record; yet it is also in the power of either House when they shall think it expedient to adjourn it self.

The meeting of the two Houses at the end of this foresaid Adjournment was in such manner as it useth to be at the end of a Prorogation without all Solemnity and Pomp; yet with this difference: At the end of every Prorogation a new Session beginneth, though the same Parliament continueth; but at the end of an Adjournment there beginneth neither new Session nor new Parliament, but (be the Adjournment for one day or for many) the business is so entred upon at the next meeting as it was left, and as it stood at the time of the Adjournment.

Yet because the Adjournment was for so many days, I have caused all the Names of the Lords who were present this Thursday following, being the 4th day of February, to be transcribed out of the Original Journal-Book; which course, though it be usually observed in all these Journals at the beginning only of a new Parliament, or at least of a new Session, yet it is in one respect somewhat necessary at the beginning of this new meeting after the Adjournment, because the presence of the Lords on this said ensuing Thursday, though it appears not that any new Proxies were returned, (which is usual after a long Adjournment as well as after a Prorogation) differeth much from that former number of the Lords noted to have been present on Tuesday the 26th day of November foregoing, as may appear by this which followeth.

On Thursday the 4th day of February, to which day the Parliament had been on Monday the 21th day of December last past by her Majesties Commission under the Great Seal adjourned, the Lords and Commons repaired each of them without all manner of Pomp or Solemnity to their several Houses, and there fell upon such ordinary business as had been left unperfected at their last Adjournment. The Names of the Lords who were this day present in the Upper House

House being as followeth out of the Original Journal-Book.

Archiepiscopus Cantuar.
Archiepiscopus Eboracen.
Thomas Bromley Miles Dominus Cancellarius.
Dominus Burleigh Dominus Thesaurarius.
Marchio Winton.

Comites.

Comes Oxon. Magnus Camerarius.
Comes Leicester Magnus Seneschallus.
Comes Kantia.
Comes Suffex.
Vice-Comes Mountague.

Episcopi.

Episcopus Winton.
Episcopus Sarisburien.
Episcopus Oxon.
Episcopus Meneven.

Barones.

Dominus Zouch.
Dominus Willoughbie.
Dominus Dacres.
Dominus Cobham.
Dominus Stourton.
Dominus Mountjoy.
Dominus Wentworth.
Dominus Borough.
Dominus Cromwell.
Dominus Evers.
Dominus Rich.
Dominus Darcy de Chiche.
Dominus North.
Dominus Hunsdon.
Dominus de la Ware.
Dominus Compton.
Dominus Norris.

This day also three Bills of no great moment had each of them one reading; of which the first being the Bill for Confirmation of her Majesties Letters Patents granted to the Queens Colledge in Oxford was read *tertia vice & conclusa*, and sent to the House of Commons by two Serjeants at Law.

And the last being the Bill for the Savoy was read *secunda vice & commissa* Archiepiscopo Cantuar. & Eboracen. Dominis Thesaurario & Seneschallo, Comitibus Kantia & Bedford, Episcopis London & Winton. Dominis North & Hunsdon, Baroni Shute & Serjienti Gawdy.

On Saturday the 6th day of February, to which day the Parliament had been on Thursday last continued, *returnatum fuit breve quo Episcopus Wigorn. presenti Parlamento summonebatur, qui admissus est ad suum præheminentia in Parlamento sedendi locum, salvo jure alieno.*

The Bill also against Jesuits, Seminary Priests

and other such like disobedient persons was read *prima vice, & commissa* Archiepiscopo Cantuar. Domino Thesaurario, Domino Seneschallo, Comitibus Kantia, Comitibus Bedford, Episcopo London, Episcopo Winton. Episcopo Sarisburien. Domino Camerario, Domino Cobham, Domino North, Domino Hunsdon, Domino Primario Justiciario & Baroni Shute.

On Monday the 8th day of February, the Bill for the paving of Lewes was read *secunda vice & commissa*.

On Tuesday the 9th day of February, *Returnatum fuit breve quo Thomas Dominus Darcy de Chiche presenti Parlamento summonebatur, qui admissus est ad suum præheminentia in Parlamento sedendi locum, salvo jure alieno.*

Three Bills were brought up to the Lords from the House of Commons; of which the second was the Bill that Parsonages impropriate may be disposed to godly and charitable uses.

The matter which had been debated on Tuesday the 7th day of March in the last Parliament (de anno 23 Regine Eliz. Anno Domini 1580.) between Mr Oughtred and the Lord Marquess of Winchester concerning certain accompts, was again this Tuesday Morning brought into the Upper House before the Lords, who for the more speedy ending of the same committed it with the consent of the parties unto the Lord Treasurer, the Lord Steward, the Earl of Arundel, the Earl of Hartford, Viscount Mountague, the Bishop of Winchester, the Bishop of Salisbury, the Lord Cobham, the Lord Grey, the Lord Lumley, and the Lord North. And it is Ordered that the said Lords should hear and end the matter between the Parties if they could, or otherwise to make report thereof to the whole House: and appointed the Lord Chief Justice of England, Justice Windham and Serjeant Gawdy, to attend the Lords. *Vide plus* concerning this matter on Thursday the 4th day of March ensuing.

Nota, That here the Judges and the Queens Council are not nominated as joint Committees with the Lords, but only appointed to attend upon them, which is very rare in any Parliaments of the Queens time until in Anno 39 & 43 Regine ejusdem.

On Wednesday the 10th day of February four Bills of no great moment had each of them one reading; of which the second being the Bill that Parsonages impropriate may be disposed to godly and charitable uses, was read *prima vice*.

On Thursday the 11th day of February, Two Bills of no great moment had each of them one reading; of which the first being the Bill for the better foundation and relief of the Hospital of Eastbridge in the City of Canterbury, was read *prima vice*.

Five Bills also were brought up to the Lords from the House of Commons; of which the first was the Bill for paving Newark upon Trent in the County of Nottingham.

Dominus Cancellarius continuavit præsens Parliamentum usq; in diem Lunæ prox. horâ consuetâ.

On Monday the 15th day of February, to which day the Parliament had been last continued on Thursday foregoing, four Bills of no great moment had each of them their first reading; of which the first was a Bill for returning of Justices, Jurors, and for expedition of Trials.

The Lords Ordered that *Edward Fisher* and *Katherine* his Wife should personally appear before them on Wednesday next the 17th day of this instant February, for the better satisfying of their Lordships of their consent to the passing of a Bill Entituled An Act for the assurance of certain Lands unto *George Chemne*, *Giles Flood*, *Christopher Puckering*, and their Heirs. *Vide* concerning this matter on Wednesday the 17th day of this instant February ensuing.

The Lords also Ordered that the Master of the Rolls, the Lord Chief Baron, Justice *Gawdy* and Baron *Shute* should have the hearing of the matter of the Writ of Error between *Akrode*, &c. and Mr *Whawley*.

On Tuesday the 16th day of February, Four Bills of no great moment had each of them one reading; of which the first being the Bill for the continuance of a former Statute Intituled, An Act to redress disorders in common Informers upon penal Laws, made in the eighteenth year of the Queens Majesties Reign, was read *tertiâ vice & communi omnium Procerum assensu conclusa*.

Six Bills of no great moment had each of them one reading; and had been brought to the Lords from the House of Commons; of which the first was the Bill against Glafs-Houses and making of Glafs by Aliens born.

On Wednesday the 17th day of February, Five Bills of no great moment had each of them one reading; of which the last save one being the Bill concerning the Lord *Dacres* and the Lord *Norris* was read *tertiâ vice & conclusa*, and sent to the House of Commons by Serjeant *Rodes* and the Queens Attorney.

Then the Lord Chancellor continued the Parliament unto two of the Clock in the Afternoon.

At which time as the Lords had Ordered, Mr *Edward Fisher* with his Council, *viz.* Mr Serjeant *Walmesley* and Mr *Comper* appeared before them. The Lords having heard the consent of the said *Edward Fisher* to the passing of the Bill Intituled, An Act for the assurance of certain Lands unto *George Chemne*, &c. and their Heirs, committed again the said *Edward Fisher* to the Custody of the Warden of the Fleet; and further Ordered that the bringing of the said *Edward Fisher* before their Lordships at their Commandment, should not in any wise be prejudicial to the said Warden.

The said *Edward Fisher* and his Council made two Petitions to the Lords; the one that the Preamble of the Act alledging the cause of the making of the same Act to be for doubtfulness of his ill dealing, because he was judged in the Star-Chamber to have made two false and forged

Writings to the prejudice of the said Bargains, might be amended, and that the same might be taken out of the Act, and not to remain in perpetual memory of his shame for ever.

The second that Serjeant *Puckering*, to whose behalf the said Lands were sold, having him and his Lands in Execution upon a Statute of eight thousand pound for not performance of the Covenants of the same, yet also enjoying the Lands sold would release him the said Execution, and take a new Statute in that behalf; to which the said Serjeant *Puckering* whom the cause chiefly concerned, being present by the appointment of the Lords, answered as to the first request, That if to alter or take out of the said Act the said Preamble being parcell of the Bill and matter passed from the House of Commons to this Honourable House in that form should be no hurt or prejudice to the Bill so passed from the Lower House to the Lords, he was well content therewith, and therein submitted himself to their honourable Lordships. And as to the second Request he Answered, That whensoever the said *Edward Fisher* shall have cleared and discharged the said Lands and Tenements by him bargained and sold as aforesaid, of and from all Statutes Staple and Recognizances, charges and incumbrances liable or chargeable upon the same, then he having a new like Recognizance in nature of a Statute Staple made unto him by the said *Edward Fisher* of the sum of eight thousand pound for performance of Covenants mentioned in the said Indenture of Bargain and Sale from thenceforth to be performed, unto which Recognizance all the Lands and Tenements of the said *Edward Fisher* which shall not be sold for the payment of his Debts, shall be liable and chargeable, and that there were no former Statutes and Recognizances knowledged by the said *Edward Fisher* to the prejudice of the same, he was contented then after that done to discharge the said new Execution, having and taking a new Recognizance in form aforesaid. *Vide* concerning this matter on Monday the 15th day of this instant February foregoing.

On Thursday the 18th day of February, Nine Bills of no great moment had each of them one reading; of which the two first were upon the third reading concluded and sent down to the House of Commons by Serjeant *Rolls* and Dr *Carey*, the one being the Bill to explain the Statute concerning Tellors and Receivors, &c. made An. 13 *Reginæ Eliz.* and the other being for the better relief of the Hospital of *Eastbridge* within the City of *Canterbury*.

Nota, That the Original Journal-Book of the House of Commons sets down a third Bill assented unto and concluded at this time.

The last of the said Bills touching divers Assurances made by the Bishop, and Dean and Chapter of *Exeter* was read *secunda vice & commissa Archiepiscopo Eboracen. Comiti Suffex, Episcopo Exon. Domino Stourton & Domino Buckhurst.*

On Saturday the 20th day of February, to which

which day the Parliament had been on *Thursday* last continued, a Proviso added by the House of Commons to the Bill concerning certain assurances of Sir *Thomas Lucy* and others, was read and concluded.

The Bill also to make a Fine levied by *Peter Heam* and *Johan* his Wife, and *Tredolias Leza* and his Wife during the Minority of the said *Johan* and *Anne*, to be void against the said *Anne*, was read *secundâ vice*.

The Lords appointed *Monday* next in the Afternoon for the hearing of the Cause, and have given Order that the Parties shall have warning to be then there with their Council by two of the Clock in the Afternoon.

Five other Bills also of no great moment had each of them one reading; of which the fourth being the Bill for the well-ordering and governing of the *Savoy*, was read the third time and sent to the House of Commons.

On *Monday* the 22th day of *February*, to which day the Parliament had been last continued on *Saturday* foregoing, Five Bills of no great moment had each of them one reading; of which the first being the Bill for preservation of Grain and Game, with another Bill against Moor-burning in the Counties of *Northumberland*, *Cumberland*, *Westmerland* and *Durham* (with an amendment added unto it by the Lords) were upon the third reading sent down to the House of Commons by Serjeant *Rolls* and Doctor *Ford*.

Three Bills also had each of them one reading, being brought from the House of Commons; of which the first was for redress of erroneous Judgments in the Court called the Kings-Bench.

Then the Lord Chancellor continued the Parliament unto two of the Clock in the Afternoon, at which time the Lords Assembling themselves, two Bills of no great moment had each of them one reading; of which the first being against Glas-Houses and making of Glas by Aliens born, was read the first time.

This Afternoon also the Lords having heard the Council of both Parties touching the Bill intituled An Act to make a Fine levied by *Peter Heam* and *Johan* his Wife, and *Tredolias Leza* and *Anne* his Wife, during the minority of the said *Johan* and *Anne*, to be void against the said *Anne*, for a more speedy end of the said cause, with the consent of the said Parties, committed the matter to the hearing of certain of the Lords which should be named by the Parties themselves. The Plaintiff *Anne* did chuse the Lord Treasurer, the Earl of *Arundell*, the Bishop of *Salisbury*, and the Lord *North*; and Mr *Vinion* the Defendant chose the Lord Steward, the Earl of *Bedford*, the Bishop of *Exeter* and the Lord *Buckhurst*. And further Ordered, that the said Lords should end the matter between the Parties if they could; and if they could not, then to certify the State of the matter as they found it to the whole House. And the Lord Chief Justice and the Lord Chief Baron, were appointed to attend the Lords.

On *Tuesday* the 23th day of *February*, Six Bills of no great moment had each of them one reading; of which the first being the Bill for the furtherance of Justice was read *prima vice*.

Two Bills also were sent up to the Lords from the House of Commons; of which the first was concerning the Jointure of the Countess of *Huntington*.

On *Wednesday* the 24th day of *February*, Three Bills of no great moment had each of them one reading; of which the first being the Bill for the better assurance of her Majesties Letters Patents granted for the better foundation of the Hospital called *Sherborn-House*, was read *prima vice* & *Commissa Archiepiscopo Eboracen. Episcopo London. Domino Darcy, Domino Evers, the Lord Chief Baron and Justice Gawdy*.

On *Thursday* the 25th day of *February*, Three Bills of no great moment had each of them one reading; of which the first being the Bill for Confirmation of her Majesties Letters Patents to the Masters, Fellows and Scholars of *Clare-Hall* in *Cambridge* was read *secunda vice*; but no mention is made whether it was Ordered to be ingrossed, or referred to Committees.

On *Saturday* the 27th day of *February*, to which day the Parliament had been on *Thursday* last continued, the Bill for following of Hue and Cry was read *secunda vice*, and committed to one Earl, three Lords, the Lord Chief Baron and one Judge. Where still *Nota* the Judges are joint Committees with the Lords.

One Bill also touching *Plymouth-Haven*, was sent up to the Lords from the House of Commons. And three other Bills of no great moment, the first concerning *Rocheſter-Bridge* was read *secunda vice*.

On *Monday* the first day of *March*, to which day the Parliament had been on *Saturday* last continued, Four Bills of no great moment had each of them one reading; of which the first being the Bill for returning of sufficient Jurors for the better expediting of Trials was read *tertia vice* and concluded.

The Master of the Rolls and Mr Serjeant *Rodes* were appointed Committees to hear the matter between Mr *Vinion* and Mr *Tredolias Leza* and his Wife, and Commission given to the said Committees to end the matter between the Parties if they could; and if they could not, then the Parties with their Council to be before the Lords at this House upon *Thursday* next.

Two Bills lastly had each of them one reading; of which the first being the Bill against Jesuits, Seminary Priests, &c. was read *secunda vice*, with certain Amendments, and a Proviso added by the Lords.

On *Wednesday* the third day of *March*, to which day the Parliament had been last continued on *Monday* foregoing, Four Bills of no great moment had each of them one reading; of which the first being the Bill against Jesuits, Seminary Priests, &c. with the Amendments and Provisoes added by the Lords, was read *tertia vice*

vice & conclusa, and sent to the House of Commons by Serjeant Rodes and the Queens Attorney.

Two Bills also were sent up to the Lords from the House of Commons; of which the last was the Bill for the repairing and maintenance of the Sea-Banks and Sea-Works on the Sea-Coast in the County of Norf.

Committees were appointed to hear the matter between the Lord Willoughby and Mr Heronden, who were chosen by the Parties themselves, viz. the Earl of Kent and the Lord Zouch for the Lord Willoughby, and Viscount Mountague and the Lord Cobham for Mr Heronden. And the Lords further Ordered that the said Lords Committees should end the matter between the said Parties if they could.

Committees lastly were this day Chosen to examine the Record touching passing Amendments of Amendments moved by the House of Commons, viz. the Lord Treasurer, the Earl of Suff. Viscount Mountague, the Bishop of Winchester, the Lord Hunsdon, the Lord Buckhurst, the Master of the Rolls and Mr Attorney, about the Bill for the better and more reverent observing of the Sabbath day; to which the House of Commons had added Amendments upon Amendments. The Precedents they named were the Bills for Treasons and bringing in of Bulls, Acts passed in Anno 13^o of the Queen.

Nota, That this Bill concerning the Sabbath, as hath been before observed, was long in passing the two Houses, and much debated betwixt them, being committed, and Amendments upon Amendments added unto it, which as appeareth in this place was the cause of some Disputation between the Lords and the said Commons. Of the other several Passages of this Bill *Vide* on Monday the 7th day, Tuesday the 8th day, Wednesday the 9th day, Monday the 14th day, and on Saturday the 19th day of December foregoing; As also on Thursday the 4th day, Saturday the 6th day, and on Saturday the 13th day of this instant March following.

Nota also, That the Master of the Rolls and the Queens Attorney being no Members of the Upper House are here made joint-Committees with the Lords.

On Thursday the 4th day of March, Three Bills of no great moment had each of them one reading; of which the first being the Bill for the assurance of certain Lands in the Counties of Norfolk, Suff. Lincoln and Warwick unto the Lord Willoughby of Willoughby and Erisby against the Heirs and Assigns of Mr Heronden was read *tertia vice & conclusa*, and sent to the House of Commons by Serjeant Gawdy and Serjeant Rolls.

Memorandum, That this day before the passing of my Lord Willoughbies Act, Edward Heronden came before the Lords and gave his Assent thereunto. *Vide* concerning this matter on Wednesday the third day of this instant March foregoing.

Saturday next was appointed by the House for

the appearance of Mr Oughtred and the Earl of Suffex, and Viscount Mountague, appointed to talk with the Lady Marchioness about the assurance of her Jointure by a Parliament.

Nota, That this matter was formerly debated on Tuesday the 7th day of March in the last Parliament *de anno* 23 Regine Eliz. and before also in this present Parliament on Tuesday the 9th day of February last past, when Committees were appointed about it. *Vide* also on Monday the 29th day of this instant March following.

Mr Vinions matter (of which *Vide antea* on Monday the first day of this instant March foregoing) was again referred to the Master of the Rolls and Mr Serjeant Rodes.

The Bill lastly for redress of erroneous Judgment in the Kings-Bench was read *tertia vice & communi omnium procerum assensu conclusa*.

Sir Christopher Wray Knight, Lord Chief Justice of England brought in also a certain Record touching a Writ of Error according to a Bill preferred to her Majesty and Signed with her Highness hand, concerning the same. Which see at large on Monday the 8th day of this instant March following. For though it was this day brought into the Upper-House, yet it is likely it was not there publicly read until the said Monday, and therefore it is Entred at large on that day in the Original Journal-Book upon which it was read, and not upon this day when it was brought into the House by the Lord Chief Justice as aforesaid.

On Friday the 5th day of March, Seven Bills of no great moment had each of them one reading; of which the second being the Bill for following of Hue and Cry was read *tertia vice & communi omnium procerum assensu conclusa*.

On Saturday the 6th day of March, Four Bills were brought up to the Lords from the House of Commons; of which the last was the Bill for the better and more reverent observing of the Sabbath; to which the Lords having formerly added some Amendments, had sent it back to the House of Commons (where it first passed on Monday the 14th day of December foregoing.)

And upon this instant Saturday the said Commons sent it back again to the Lords with new Amendments upon their Amendments; which said new Amendments of the Commons their Lordships did this Morning pass without further Disputation, having read them *prima, secunda & tertia vice*.

Vide concerning this Bill of the Sabbath on Monday the 7th day, Tuesday the 8th day, Wednesday the 9th day, Monday the 14th day, and Saturday the 19th day of December foregoing: As also on Wednesday the third day of this instant March last past, and on Saturday the 13th day of the same Month ensuing. In all which days it will appear fully how hardly and difficultly it passed either House. And yet at last when it was agreed on by both the said Houses, it was dashed by her Majesty at the last day of this Parliament, upon that prejudicated and ill followed

lowed Principle (as may be conjectured) that she would suffer nothing to be altered in matter of Religion or Ecclesiastical Government. *Vide itidem* on *Thursday* the 18th day of this instant *March* following.

Memorandum, That whereas *Ferdinando Clark* one of the Ordinary Gentlemen of the Right Honourable *Robert Earl of Leicester* Lord Steward, was committed to the Prison commonly called the Kings-Bench, upon a *Reddit se* in the Kings-Bench, for the discharge of his Sureties, since the beginning of this present Parliament, the Lords at the Motion of the Lord North, in the name of the Lord Steward claiming the ancient privilege of this High Court, after the hearing of the Cause between the said *Ferdinando* and one *John Lacy* Citizen of *London*, Ordered, that the said *Ferdinando* by vertue of the privilege of this High Court should be enlarged and set at liberty. And further for as much as the said *Ferdinando* was not Arrested in Execution at the Suit of the said *John Lacy*, but was committed after Judgment by the Lord Chief Justice and the rest of the Justices of the Kings-Bench upon a *Reddit se* for discharge of his Sureties and their Bonds, the said Lords Ordered, that touching the sum of money recovered by the said *John Lacy* against the said *Ferdinando Clark*, should stand to such order and mitigation therein as the said Lord Chief Justice of the Kings-Bench shall set down and order for the same. And further Ordered, that the appearance of the said *Ferdinando Clark* by rendring himself into the said Court of Kings-Bench, was and should be a sufficient discharge of his Sureties and their Bonds, and that the Bonds should be redelivered. And it was further Ordered, that *Catesby*, Marshal of the Kings-Bench, should be discharged of the Prisoner and of any Action that might be brought against the said Marshal for the same.

On *Monday* the 8th day of *March*, to which day the Parliament had been last continued on *Saturday* foregoing, the Record touching a Writ of Error (which the Lord Chief Justice had brought into the Upper House on *Thursday* the 4th day of this instant *March* foregoing) was Entred in the Original Journal-Book, and as it should seem read publickly in the House, being in manner and form following.

Memorandum quod *Christopherus Wray Miles Capitalis Justiciarius de Banco Regis secum adduxit in Cameram Parliamenti inter Dominos Breve de errore & Billam per Reginam indorsat' & Rotul' in quibus supponebatur error, & ibidem reliquit transcriptum totius Recordi cum Clerico Parliamenti simul cum predicto Breve de Errore in Parlamento.*

Et super hoc venerunt Richardus Harbert, Johannes Awbery, Willielmus Filian & Simon Browne in propriis personis suis in Parlamento, & statim dixerunt quod in Recordo & processu predictis, ac etiam in redditione Judicii predicti mani-

festè est erratum in hoc, quod postquam Judicium predictum in loquela hac versus prefatum Thomam Gonnell redditum fuit, & antequam predictus Joh. Hunt hunc prosecutus fuit & impetravit predictum primum breve de scire facias versus prefatum Richardum Harbert, Johannem Awbery, Willielmum Filian & Simonem Browne Manuceptores predicti Thomæ Gonnell, nullum breve de Cap. ad satisfaciendum pro debito & damnis predictis per prefatum Johannem Hunt in placito predicto prosecutum & returnatum fuit versus prefatum Thomam Gonnell, ubi per consuetudinem Curie dictæ Domine Regine coram ipsa Regina ac tempore cujus contrarii memoria hominum non existit, in eadem usitat & approbat' breve de Cap. ad satisfaciendum versus eundem Tho. Gonnell pro debito & damnis predictis in placito predicto prosequi & returnari deberet, antequam aliquod breve de scire facias versus manuceptores predictos in loquela illa impetrari seu prosequi deberet, licet consuetudo & formæ captionis recognitionum in Curia predicta usæ fuerunt in forma predicta, viz. Si contigerit eundem Thomam Gonnell in placito predicto convinci, tunc iidem Manuceptores concesserunt & quilibet eorum per se concessit tam debitum predictum quam omnia hujusmodi damna nunc & custag' que prefato Johanni Hunt in ea parte adjudicentur, de terris & Catallis suis & eorum cujuscumque fieri, & ad opus predicti Johannis Hunt levari, si contigerit predictum Thomam Gonnell debitum & damna illa prefato Johanni Hunt minimè solvere, aut si prisonæ Marefcal' Domine Regine coram ipsa Regina ea occasione non reddere, &c. Et petunt iidem Richardus Harbert, Johannes Awbery, Willielmus Filian & Simon Browne, quod Judicium predictum & processus super brevibus predictis de scire fac' prosecut' in Curia dictæ Domine Regine coram ipsa Regina revocetur, adnulletur & penitus pro nullis habeatur. Et super hoc Domini per Consilium Justiciariorum post longam & maturam deliberationem uno consensu adjudicaverunt quod judicium predictum & processus super brevibus predictis de scire fac' prosecut' in Curia dictæ Domine Regine coram ipsa Regina revocetur, adnulletur & penitus pro nullis habeatur.

On *Wednesday* the 10th day of *March*, to which day the Parliament had been on *Monday* last continued, Eight Bills of no great moment had each of them one reading; of which the first being the Bill for Confirmation of Letters Patents, made unto the Dean and Chapter of *Normich*, was read *prima vice*.

Six Bills also were brought up to the Lords from the House of Commons; of which the first being the Bill for Provision to be made for the Surety of the Queens Majesties most Royal Person and the continuance of the Realm in Peace, was read *prima vice*.

On *Thursday* the 11th day of *March*, Six Bills had each of them one reading; of which the first being the last recited Bill for Surety of the Queens Royal Person, &c. was read *secunda vice*. And the second being the Bill for the good

Government of the City and Borough of *Westminster* in the County of *Middlesex* was read *tertia vice*, with a Schedule and certain Amendments, *que communi omnium procerum assensu conclusa & dat' Doctori Barkeley & Servienti Rolls in Domum Communem deferend.*

Then the Lord Chancellor continued the Parliament unto two of the Clock in the Afternoon. About which hour the Lords Spiritual and Temporal meeting six Bills of no great moment had each of them one reading; of which the second being the Bill concerning the Lady Marchioness of *Winchesters* Jointure, was read *secunda vice & commissa* to the Master of the Rolls, and the Lord Chief Justice of the Common-Pleas.

For as much as in the matter depending now in Parliament by Writ of Error brought by *John Akerode, Thomas Stanfeild* and divers others, against *Richard Whalley* Defendant, for reverſing of certain Errors suppoſed by the ſaid Plaintiff to be in the ſaid Defendants Grandfathers form of Pleading, and other things in his Recovery of the Mannor of *Eringden* in the County of *Tork*; it hath appeared to this honourable Court by the Certificate of the Lords Chief Juſtices, the Maſter of the Rolls and others, being by this Honourable Court appointed Committees to hear and examine the matter privately before them, that the Writ of Error and the *ſcire facias* are inſufficient in Law for divers Cauſes opened to this Court. Therefore it is Ordered by the Lords that the ſame Writ of Error ſhall abate, and the Plaintiffs to purſue their further remedy as they ſhall thing good.

On *Saturday* the 13th day of *March*, to which day the Parliament had been on *Thursday* laſt continued, the Bill for Proviſion to be made for the Surety of the Queens Majeſties moſt Royal Perſon, and the continuance of the Realm in Peace was read *tertia vice, que communi omnium Procerum assensu conclusa*, with one amendment in the 44. line, that is after this word [left] put out [ſo as] and in place thereof put in [foreſeeing that.] This amendment was made after the third reading, and before the Bill was put to the queſtion, and was delivered to Doctor *Barkeley* and Serjeant *Rodes* to be carried to the Lower Houſe, with the Bill for the better obſerving of the Sabbath day; with requeſt, for that there are whole Sentences inſerted into the ſaid Bill for the Sabbath day, and the Bill would remain a very foul Record, it might be fair written again. *Vide* concerning this Bill of the Sabbath on *Wednesday* the third day, and on *Saturday* the 6th day of this inſtant *March* foregoing.

Two other Bills laſtly of no great moment had each of them one reading; of which the ſecond being the Bill for *Oxford-Haven* was read *tertia vice & expedita*.

Four Bills laſtly were brought up to the Lords from the Houſe of Commons; of which the firſt was the Bill of one entire Subſidy and two Fifteenths granted by the Temporalty.

On *Monday* the 15th day of *March*, to which day the Parliament had been on *Saturday* laſt continued, *prima, ſecunda & tertia vice lecta est* ſchedule of the amendments of the Bill againſt Jeſuits ſent from the Houſe of Commons, *que communi omnium procerum assensu conclusa est*, with an Addition to the ſaid Schedule added by them of the Houſe of Commons, & *data Doctori Barkeley & Servienti Rolles in Domum Communem deferend.*

Six ſeveral Bills alſo of no great moment had each of them one reading; of which the firſt being the Bill for Confirmation of the Subſidy of ſix ſhillings in the pound granted by the Clergy, was read *prima vice & commiſſa ad ingroſſandum*.

Three Bills laſtly were ſent up to the Lords from the Houſe of Commons, of which the firſt was the Bill for the renewing, continuance, explanation and perfecting of divers Statutes.

Then the Lord Chancellor continued the Parliament unto two of the Clock in the Afternoon, about which time the Lords Spiritual and Temporal Aſſembling, Four Bills of no great moment had each of them one reading; of which the firſt being the Bill for the payment and ſatisfaction of the Debt of *William* laſt Lord Marquels of *Wincheſter* deceaſed, due to the Queens Majeſty, was read *prima vice*.

On *Tuesday* the 16th day of *March*, Seven Bills of no great moment had each of them one reading; of which the firſt being the Bill for the incorporation of Chriſts Hoſpital was read *tertia vice & communi omnium procerum assensu conclusa, & data Doctori Barkeley & Servienti Rodes in Domum Communem deferend.* And the ſecond being the Bill to give her Majeſty Authority to alter and new make a Kalendar according to the Kalendar now uſed in other Countries, was read *prima vice*.

Four Bills alſo of no great moment were brought up to the Lords from the Houſe of Commons; of which the firſt was the Bill whereby Marriage was declared lawful at all times of the Year.

Two other Bills were laſtly read each of them *secunda vice*; of which the laſt being the Bill for the grant of one entire Subſidy and two Fifteenths granted by the Temporalty was read *secunda vice*.

About two of the Clock in the Afternoon, to which hour the Lord Chancellor had in the Forenoon continued the Parliament, the Lords Spiritual and Temporal meeting, nine Bills of no great moment had each of them one reading; of which the firſt being the Bill for the Haven of *Plymouth*, was read *secunda vice*.

The Amendments laſtly in the Bill concerning the Hoſpital of *East-Bridge*, were read *prima, ſecunda & tertia vice, & concluſe diſſentientibus Vicecomite Mountague & Comite Hertford*.

On *Wednesday* the 17th day of *March*, Four Bills of no great moment had each of them one reading; of which the firſt being the Bill of one entire

entire Subsidy and two Fifteenths granted by the Temporality, was read *tertia vice & communi omnium Procerum assensu conclusa*. The fourth also being an Act for the assurance of certain Lands unto the Lord *Hunsdon*, was read *secunda vice & commissa ad ingrossandum*.

After which *Robert Elrington* and *Alice* his Wife, mentioned in the said Bill touching the Lord *Hunsdon's* assurance, came into the House, and gave their consent to the passing of the said Bill.

The Bill against the making of Starch was brought up to the Lords from the House of Commons, and had its first reading.

After which lastly three Bills of no great moment had each of them one reading; of which the first being the Bill for bringing in of Staple Fish and Herrings into the Realm, was read *secunda vice*.

On *Thursday* the 18th day of *March* six Bills of no great moment had each of them one reading; of which the first being the Bill for the assurance of certain Lands to the Lord *Hunsdon*, and the second being the Bill touching the breadth of white Woollen Clothes made within the Counties of *Wilts*, *Glocester* and *Oxon*' with the amendments, were each of them read *tertia vice & conclusæ & datæ servienti Rodes*. It should seem that these Bills were delivered to him to carry down to the House of Commons, although so much be not expressed.

There were also brought up to the Lords from the House of Commons four Bills of no great moment; of which the first being the Bill that Parsonages impropriate may be disposed to godly and charitable uses, and the third for the better and more reverent observing of the Sabbath day, were each of them read the first time.

Vide concerning this Bill of the Sabbath on *Saturday* the 6th day of this instant *March* foregoing. But what the intent or scope of this Bill was, (her Majesty refusing to pass it upon the last day of this Parliament) cannot be certainly set down, it being not now remaining in the bundle of the Acts *de Anno isto 27 Regine Eliz.* in the Clerk of the Upper House his Office: in which said bundle I searched for it on *Thursday* the 8th day of *October* in the year 1629.

About two of the Clock in the Afternoon, to which hour the Lord Chancellor had in the Forenoon continued the Parliament, *Proceres tam Spirituales quàm Temporales, quorum nomina subscribuntur, præsentés fuerunt*, and so is the entrance of every sitting in the Afternoon upon such continuance, *ut supra, viz.* the same form which is used in entering the sitting of the House in the Forenoon, which for brevity is in this Collection elsewhere omitted.

Two Bills had this Afternoon each of them one reading; of which the first being the Bill against covenous and fraudulent Conveyances with certain amendments was read *tertia vice*.

On *Friday* the 29th day of *March* five Bills of

no great moment had each of them one reading^s of which the first being the Bill against covenous and fraudulent Conveyances with the amendments was read *tertia vice, & communi omnium Procerum assensu conclusa & data servienti Rodes & Doctori Barkeley in domum communem deferend*.

Nota, That this Bill is said to have been read *tertia vice* in the Afternoon of the day past which was *Thursday*, and therefore it could not be now read again: but to reconcile this difference, it should seem the Bill it self had then its third reading, and the amendments but the second; and this day the said amendments passed upon the third reading: but the Bill it self which had passed yesterday, was no more read, which by the negligence of Mr. *Mason*, at this time Clerk of the Parliament, was suffered to be set down thus confusedly in the Original Journal-Book, and so to stand.

On *Saturday* the 20th day of *March* the Bill for the explanation of the Statute made *Anno 13* of the Queens Majesty, entituled An Act to make the Lands, Tenements, Goods and Chattels of Receivors, &c. liable to pay their debts, was read *prima, secunda & tertia vice, & communi omnium Procerum assensu conclusa*.

Three other Bills of no great moment had each of them one reading.

There were also brought up to the Lords from the House of Commons nine Bills; of which the first was an Act for the good Government of the City and Borough of *Westminster*, and the second being for the Subsidy of the Clergy was returned and expedited.

The Lord Bishop of *Exeter* shewed unto the Lord Chancellor Sir *Francis Walsingham's* Letter dated at the Court this 14th day of *March* 1584. importing her Majesties licence for the said Bishop to depart home to his charge.

Nota, That it appeareth not by the Original Journal-Book, whether the Bishop of *Exeter* aforesaid, absenting himself for this time from the Parliament by her Majesties licence, did constitute any Proctor or no, and it should seem that he did not, because his departure from it was but for some few weeks during the last sitting thereof, and that also in open Parliament, and as it were with the allowance also of the rest of the Lords.

On *Monday* the 22th day of *March*, to which day the Parliament had been on *Saturday* last continued, six Bills of no great moment had each of them one reading; of which the first being the Bill for reformation of Errors in Fines and Recoveries in the twelve Shires of *Wales* with a Proviso added by the Lords from the Earl of *Kent*, was read *tertia vice & communi omnium Procerum assensu conclusa & data Doctori Barkeley & servienti Rodes in domum communem deferend*.

The Bill to make a Fine levied by *Peter Heame* and *Johan* his Wife and *John Tredolias* alias *Leha* and *Anne* his Wife, during the Minority of the said *Johan* and *Anne*, to be void against the said *Anne*,

Anne, was put to the question, and was rejected by the most Voices; for the Preamble of the Bill was scandalous, and no proof made thereof.

Nota, That this Bill preferred by *Anne* the Wife of the above-named *Tredolias*, to reverse a Fine levied by her during her Non-age, by Authority of Parliament, (because it seemeth, being at this time of full Age she could not otherwise do it by ordinary course of Law) was very deliberately and advisedly proceeded in by the Lords, who having given it the first reading upon *Thursday* the 17th day of *December*, and the second reading upon *Saturday* the 20th day of *February* foregoing, did before any further proceeding in it, on *Monday* next following, being the two and twentieth day of the said *February* foregoing, refer the same to certain Lords being chosen Committees therein by the said *Anne* on the one part who was the Plaintiff, and Mr *Vivion* on the other who was the Defendant, and to whose use it seemeth the said Fine had been levied, after which the said Lords Committees having not ended the said difference, it was again committed on *Monday* the first day of *March* foregoing, to the Master of the Rolls and Mr Serjeant *Rodes* to hear it, and to make some conclusion thereof, which being not effected, it was again on *Thursday* following, being the 4th day of this instant *March*, referred to the said Mr of the Rolls and the Serjeant aforesaid; who still endeavouring without any effect to make any accord between the said Parties, it was now at last upon the foresaid *Monday* the 22th day of this instant *March* put to the Question in the Upper House, and there the said Bill preferred by the said *Anne* to be relieved in Parliament contrary to her own Fine, was rejected: where it may be seen how tender their Lordships were to relieve any Party contrary to the course of the common Law. For the Case appeareth singly to be this: Baron and Feme levy a Fine, the Wife being under Age, then the Husband dies, (as *John Tredolias Leza* or *Leba* did here) the Wife being of full Age, and she sues in Parliament to be relieved; for at Common Law if an Infant levy a fine and then die, or becomes of full Age before it be reversed, the Fine stands good as if it had been levied by one of full Age, as was delivered in the Common-Pleas *per totam Curiam* in the Lady *Cæsars* Case, then Wife of Sir *Julius Cæsar* Knight Master of the Rolls, which is entered in *termino Trinitatis Anno 21 Jacobi Regis Rotulo 1971*.

On *Tuesday* the 23th day of *March*, Three Bills of no great moment had each of them one reading; of which the first being the Bill concerning the Water-Bailiff was read *secunda vice*, but not mentioned to be either referred to Committees or Ordered to be ingrossed.

Four Bills also were brought up to the Lords from the House of Commons; of which the first being the Bill for the Explanation of a Statute made *Anno 13*. of the Queens Majesties Reign,

intituled An Act to reform sundry disorders touching Ministers of the Church, was read *prima vice*.

On *Wednesday* the 24th day of *March*, The Bill against Rogues, Idle and Vagrant Persons, was read *secunda vice*; but no mention is made that it was either referred to Committees or Ordered to be ingrossed: and the reason hereof may be, that this Bill having passed the House of Commons, and being sent up to the House of Lords fairly ingrossed in Parchment, can be no more ingrossed, neither do the Lords ordinarily refer such Bills to Committees unless there be very great cause, in respect that each House holding correspondence with other, they do not willingly submit that to the agitation of a private Committee which hath been allowed and approved by the wisdom of a whole House. There may also be two other reasons (besides the Clerks negligence who may sometimes omit it) why a Bill upon the second reading is so left without any mention made of the committing or ingrossing; as where the referring of it to Committees is deferred till some other day, as it fell out in the Parliament *de Anno 13 Regine Eliz.* when the Bill touching the Commission of Sewers being read *secunda vice* on *Friday* the 20th day of *April*, was referred to Committees on the day following, being *Saturday* the 21th day of the same Month. The third and last reason finally why a Bill may be mentioned to be read *secunda vice* without any further Order taken in it as aforesaid, may be assigned in some extraordinary Cases; as where Bills of Grace, *viz.* for the restitution in Blood of any; and such like are sent to the House from her Majesty fairly ingrossed in Parchment and Signed with her hand, which for the most part do pass the House without any stop or question. But it is to be noted, that in later times the committing of a Bill upon the second reading is always when it is so read, and is never deferred until another day.

Three Bills also of no great moment were brought up to the Lords from the House of Commons; of which the first was an Act for the Incorporation of the Hospital of Christ in the Town of *Sherbourn*.

Nota, That no continuance of the Parliament is Entred this day in the Original Journal-Book, which seemeth to have happened through the negligence of the Clerk of the Parliament:

On *Friday* the 26th day of *March*, to which day it seemeth the Parliament had been on *Wednesday* last continued, *Introductum fuit breve quo Richardus Petriburgen. Episcopus presenti Parlamento summonebatur interesse, qui admissus est ad suum præbeminentie in Parlamento sedendi locum, salvo cuicumque jure suo.*

The Amendments for the Bill touching the Incorporation of Christs Hospital in the Town of *Sherbourn*, were read *tertia vice*, & *communi omnium Procerum assensu conclusæ*.

Two Bills also of no great moment had each of them one reading; of which the first was the Bill

Bill for the reviving, continuance and explanation and perfecting of divers Statutes.

Six Bills lastly were brought up to the Lords from the House of Commons; of which the first being for the naturalizing of certain Englishmens Children born beyond the Seas, was read *prima, secunda & tertia vice & expedita*.

And the second being the Bill for the safe keeping of the Armour of obstinate Recusants was read *prima, secunda & tertia vice*, and sent down to the House of Commons by Serjeant Rodes and Mr Powle.

Nota, That the Original Journal-Book of the House of Commons *de Anno isto 27 Regine Eliz.* maketh mention of some amendments added to this Bill by the Lords before it was thus immediately returned (a thing very observable and extraordinary) within a short time after the Lords themselves had received it.

It appeareth also in the said Journal-Book that one Bill more concerning the good Government of the City of *Westminster* was sent up with certain amendments to the Lords from the House of Commons: and that two other Bills, whereof this very Bill concerning the City of *Westminster* was one, and the Bill for the keeping of the County-Court at *Morpeth*, and the Town of *Anwicke* in the County of *Northumberland* was the other, had been this day sent down to the House of Commons from the Lords by Serjeant Rodes and Mr Powle, who thereupon did presently read them *prima, secunda & tertia vice*, as the Lords it should seem led by their Example did the two Bills above-mentioned this same Morning afterwards, and with some small alteration sent them up to the Lords. All which matter is by the negligence of Mr *Mason* at this time Clerk of the Upper House, omitted in the said Original Journal-Book of that House, and supplied out of the Original Journal-Book of the House of Commons, pag. 166, & 167. Collected by Mr *Fulk Onslow* at this time Clerk of the said House.

On *Saturday* the 27th day of *March*, the Bill for the maintenance of the Pier and Cobb of *Lime-Regis* in the County of *Dorset*, was read *tertia vice & conclusa*.

The Petition also of the Lord Marquess of *Winchester* against Mr *Oughtred* concerning certain Accompts by him to be made, was this day read before the Lords. *Vide* concerning this matter on *Monday* the 29th day of this instant *March* following.

On *Monday* the 29th day of *March*, to which day the Parliament had been on *Saturday* last continued, a Proviso to the Bill concerning the Pier and Cobb of *Lime Regis* added by the Lords, was read *tertia vice*, and then sent down to the House of Commons by Mr Serjeant Rodes and Mr Powle.

Mr *Oughtred* appeared before the Lords. The Lord Chancellor by the advice and consent of the said Lords, asked the said *Oughtred* whether he meant to take the benefit of a Release here-

tofore mentioned. The said *Oughtred* pronounced before the said Lords that he would take advantage of any Release concerning the said sum of twelve thousand pound and more, saying further, that the said Release extended not to the said sum, but to other accompts before the time of his Executorship. The Lord Chancellor demanded further of the said *Oughtred*, if he would be contented that his said Speeches should be entred by the Clerk in the Journals of the House. The said *Oughtred* Answered that he was very well pleased therewith. Whereupon the Lord Chancellor Commanded that his said Speeches should be Registred.

Nota, That this matter was formerly debated on *Tuesday* the 7th day of *March* in the last Parliament *de Anno 23 Regine Eliz.* and before also in this present Parliament on *Tuesday* the 9th day of *February* last past, and on *Tuesday* the 4th day, and on *Saturday* the 27th day of this instant *March* foregoing, and Committees were likewise appointed about it on the foresaid 9th day of *February* being *Tuesday*.

Dominus Cancellarius continuavit præsens Parliamentum usq; in horam secundam post meridiem.

About which hour the Lords meeting, the Bill for the Queens Majesties most Gracious general and free Pardon, *lecta est, quæ communi omnium Procerum assensu conclusa est, & data Servienti Rodes in Domum Communem deferend', unâ cum subsidio Temporalitatis.*

Nota, That the general Pardon passeth here upon the first reading.

There was also brought from the House of Commons two Bills; of which the first was the Bill for the preservation of the Pier or Cobb of *Lime Regis* in the County of *Dorset*, and the second being an Act for the preservation of Pheasants and Partridges with amendments was rejected; for that they of the House of Commons had with their amendments taken away the principal intent of the Bill.

This Afternoon her Majesty Accompanied with the two Archbishops of *Canterbury* and *York*, Sir *Thomas Bromley* Knight Lord Chancellor, the Lord *Burleigh* Lord Treasurer of *England*, the Lord Marquess of *Winchester*, the Earl of *Oxford* and divers other Lords Spiritual and Temporal were personally present in the Parliament Chamber commonly called the Upper House, who being all set in their Parliamentary Robes, and the Knights, Citizens and Burgeßes of the House of Commons having notice thereof, repaired thither with *John Puckering* Serjeant at Law their Speaker, who being placed at the Rail or Bar at the lower end of the said Upper House, after his humble reverence made, and some expressions of his thankfulness to her Majesty, he proceeded according to the usual course to desire her Majesty to give Life to such Laws by adding her Gracious Allowance unto them, as had passed either House, and remained as yet but as a dead Letter; and withal gave her Majesty knowledge of the free gift of the House of Commons of one

one Subsidy and two Fifteenths and Tenths.

To which Speech of the said Prolocutors the Lord Chancellor by her Majesties commandment answered, That she did graciously accept of the said gift of her Commons, and was come thither to give her Royal assent to divers of those Laws which had passed the two Houses.

Then were the Titles of all the Acts read, and first the Bill of Subsidy, to which the Clerk of the Parliament standing up, did read the Queens Majesties Answer in manner and form following.

La Royne remercie ses loyaulx Subjects, accepte leur benevolence, & ainsi le veut.

The Clerk of the Parliament having read the Queens acceptance and thanks for the Subsidy given as afore said, did then upon the reading of the Pardon pronounce in these French words following the thanks of the Lords and Commons for the same.

Les Prelates, Seigneurs & Communes en se present Parliament assemblees, au nom de tous vous autres Subjects remercient tres humblement vostre Majesty, & prient a Dieu que il vous done en sante, bone vie & longue.

Nota, That her Majesties Answer to these two Acts of the Subsidy and Pardon do differ from all the rest to any other Bills, because in the first is expressed her Majesties thanks to the Subjects, and in the second the Subjects humble acknowledgment of her said Majesties Pardon as an act of her own free grace and goodness.

To every publick Act allowed by the Queen, the Clerk of the Parliament reads in these French words following.

La Royne le veut.

To every private Act that passeth, the said Clerk of the Parliament reads the Queens Answer in these French words following.

Soit fait come il est desire.

These two last Answers to the publick and private Acts that pass, are to be written by the Clerk of the Parliament at the end of every Act.

To such Acts as her Majesty doth forbear to allow, the Clerk of the Parliament reads in French these words following.

La Royne s'adviseira.

Nota, That all the Acts which passed this Parliament were in number forty nine, whereof thirty were publick, and nineteen private, *ut vide* in the Statute-Book at large printed *Anno Domini 1585.*

Nota also, That the express and direct manner of her Majesties giving her Royal assent to such Acts as passed at this Parliament, as is before set down, is not so entred in the Original Journal-Book of the same, but is supplied out of that *de Anno 39 Regine Eliz.* where it is at large inserted; according to which Precedent (the form being always the same) the rest of the Journals of her Majesties Reign, as well as this present Journal, are enlarged and perfected.

To the further amplifying of which also, here

doth now in the next place ensue a most pious and gracious Speech of her Majesty's, uttered by her upon the conclusion of this Parliament, which being not found in the Original Journal-Book of the Upper House, is therefore supplied out of a Copy thereof I had by me, written by *John Stow* the Chronicler with his own hand, being *verbatim* as followeth.

MY Lords and ye of the Lower House, my silence must not injure the Owner so much as to suppose a Substitute sufficient to render you the thanks that my heart yieldeth you, not so much for the safe keeping of my life, for which your care appears so manifest, as for the neglecting your private future peril, not regarding other way than my present State.

No Prince herein, I confess, can be surer tied or faster bound than I am with the link of your good will, and can for that but yield a heart and a head to seek for ever all your best; yet one matter toucheth me so near, as I may not overskip, Religion, the ground on which all other matters ought to take root, and being corrupted, may marr all the tree. And that there be some fault-finders with the Order of the Clergy, which so may make a slander to my self and the Church, whose over-Ruler God hath made me, whose negligence cannot be excused, if any Schisms or Errours heretical were suffered. Thus much I must say that some faults and negligences may grow and be, as in all other great Charges it happeneth, and what vocation without? All which if you my Lords of the Clergy do not amend, I mean to depose you. Look ye therefore well to your Charges. This may be amended without heedless or open exclamations. I am supposed to have many studies, but most Philosophical. I must yield this to be true, that I suppose few (that be no Professors) have read more. And I need not tell you that I am so simple, that I understand not, nor so forgetful, that I remember not; and yet amidst my many Volumes I hope Gods Book hath not been my feldomest Lectures, in which we find that which by reason (for my part) we ought to believe; that seeing so great wickedness and greeves in the World in which we live, but as way-faring Pilgrims, we must suppose that God would never have made us but for a better place, and of more comfort than we find here. I know no Creature that breatheth, whose life standeth hourly in more peril for it than mine own, who entred not into my state without sight of manifold dangers of life and Crown, as one that had the mightiest and greatest to wrestle with. Then it followeth that I regarded it so much, as I left my life behind my care; and so you see that you wrong me too much (if any such there be) as doubt my coldness in that behalf; for if I were not perswaded that mine were the true way of Gods will, God forbid that I should live to prescribe it to you. Take you heed lest *Ecclesiastes* say not too true, *They that fear the hoary frost,*

frost, the snow shall fall upon them. I see many over-bold with God Almighty, making too many subtle scannings of his blessed will, as Lawyers do with humane Testaments. The presumption is so great, as I may not suffer it (yet mind I not hereby to animate Romanists, which what Adversaries they be to mine Estate, is sufficiently known) nor tolerate new-fangleness. I mean to guide them both by Gods holy true Rule. In both parts be perils, and of the latter I must pronounce them dangerous to a Kingly Rule, to have every man according to his own censure to make a doom of the validity and privity of his Princes Government with a common veil and cover of Gods Word, whose followers must not be judged but by private mens exposition. God defend you from such a Ruler that so evil will guide you. Now I conclude that your love and care neither is nor shall be bestowed upon a careless Prince, but such as but for your good will passeth as little for this World as who careth least, with thanks for your free Subsidy, a manifest shew of the abundance of your good wills, the which I assure you but to be employed to your weal, I could be better pleased to return than receive.

This Speech of her Majesty being thus transcribed out of the foresaid Copy, written by *John Stow* the Chronicler, as is already mentioned; now followeth the Prorogation of the Parliament, which is entred in the Original Journal-Book of the Upper House in manner and form following.

Domina ipsa Regina prorogavit præsens Parliamentum usq; in vicesimum diem Maii proximum.

Upon which said 20th day of May the Parliament was again prorogued, and so continued by five other severall Prorogations unto Wednesday the 14th day of September in Anno 28 Regine Eliz. Anno Domini 1586. upon which said 14th day of September it was at last dissolved.

The manner of which Dissolution, and the substance of all the foresaid Prorogations do next ensue.

Memorandum, quod vicesimo die Maii, Anno Regni Regine Eliz. 27^o convenere Proceres tam Spirituales quàm Temporales, quorum nomina subscribuntur. Johannes Archiepiscopus Cantuar. Thomas Bromley Miles Dominus Cancellarius Angliæ, Henricus Comes Darby, Johannes Episcopus London, Edwardus Dominus Zouch.

Qui cum convenissent, Dominus Cancellarius Literas Regias commissarias Anthonio Mason Clerico Parliamenti publicè legendas in manus tradidit. The tenor whereof was a Commission unto the Archbishop of Canterbury, the Lord Chancellor, the Archbishop of York, the Lord Treasurer, the Earl of Oxford Lord great Chamberlain of England, George Earl of Shrewsbury Earl Marshal of England, and six other Earls, also to the Earl of Warwick Master of the Ordnance, four other Earls, Charissimòq; Consanguineo suo Anthonio Vicecomiti Mountague, John Bishop of London,

John Bishop of Sarum, John Bishop of Rochester, Charles Lord Howard Lord Chamberlain of her Majesties House, and eight other Barons, giving to them or any three or more of them *plenam potestatem, facultatem & auctoritatem hoc instante die Jovis ad præsens Parliamentum nostrum nomine nostro ad & in septimum diem Junii prox. futurum usq; prædictam Civitatem nostram Westmonasterii prorogand' & continuand' ibidem tunc tenend' & proseguend' &c. In cujus rei testimonium, &c. Teste, &c. 20^o die Maii, Anno Regni nostri 28^o*

Septimo die Junii Anno Regni Elizabethæ 27^o the Archbishop of Canterbury, Sir Thomas Bromley Knight Lord Chancellor, one Earl, one Bishop and three Barons by virtue of a Commission under the Great Seal to them and others directed, did prorogue and continue the Parliament unto the 21. day of this instant June.

At which time the Parliament was in like sort prorogued until the 11th day of October next.

Vicesimo die Octobris the Parliament was in like sort by Commissioners prorogued until the 10th day of February next, viz. Anno 28^o Regine Eliz.

Decimo die Februarii Anno Regni Elizabethæ Regine 28^o the Parliament was in like sort by Commissioners prorogued until the 26th day of April next, viz. Anno 28^o Regine Eliz.

On the 26th day of April Anno 28^o Elizabethæ Regine the Parliament was in like sort by Commissioners prorogued until the 14th day of November next, viz. Anno 28^o Eliz. before which day it was dissolved on September the 14th ut vide infra.

Decimo quarto die Septembris Anno Regni Regine Eliz. vicesimo octavo.

Memorandum, quod cum præsens Parliamentum in decimum quartum diem Novembris prox. futurum prorogatum fuisset, tamen maximis gravissimisque causis intervenientibus, & negotiis ita flagitantibus, Regiæ Majestati per avisamentum Consilii sui consultissimum visum est, dictum Parliamentum hoc instante decimo quarto die Septembris penitus dissolvere, ob eamq; rem per Literas suas Patentes quibusdam Proceribus plenam potestatem, facultatem & auctoritatem prædictum Parliamentum nomine suo dissolvend' concessit. Addito etiam speciali mandato, ut circa præmissa diligenter intenderent & effectualiter explerent. Igitur hodierno die 14^o Septembris Proceres isti in Camera Parliamenti conveniunt, quorum nomina subsequuntur.

Thomas Bromley Miles Dominus Cancellarius Angliæ.

Georgius Comes Salop.

Edwardus Dominus Zouch.

Arthurus Dominus Grey de Wilton.

Qui cum confedisissent, Dominus Cancellarius præcepit ut dictæ Literæ Patentes publicè legerentur, quibus lectis, præfati Proceres dictum Parliamentum nomine dictæ Regine dissolverunt, & ipso facto dissolut. pronuntiaverunt. Literarum autem Patentium tenor sequitur in hæc verba.

Elizabeta Dei gratia Angliæ, Franciæ, & Hi-
bernæ Regina, Fidei Defensor, &c. reve-
rendissimo in Christo Patri ac Consiliario suo Jo-
hanni Cantuariensi Archiepiscopo totius Angliæ Pri-
mati & Metropolitano, & prædilecto & fideli con-
siliario suo Thomæ Bromley Militi Domino Can-
cellario Angliæ, ac reverendissimo in Christo Patri
Edwino Eboracen' Archiepiscopo Angliæ Primati
& Metropolitano; necnon prædilecto & fideli con-
siliario suo Willielmo Domino Burleigh Domino
Thesaurario Angliæ, ac charissimo consanguineo suo
Edwardo Comiti Oxon' Magno Camerario Angliæ,
ac etiam charissimo consanguineo & consiliario suo
Georgio Comiti Salop' Comiti Marefcallo Angliæ,
charissimoq; consanguineo suo Henrico Comiti Kan-
tiæ; necnon charissimo consanguineo & consiliario
suo Henrico Comiti Darbiæ, ac charissimis consan-
guineis suis Willielmo Comiti Wigorn', Edwardo
Comiti Rotel', Georgio Comiti Cumberland, Hen-
rico Comiti Suffex; Ac etiam charissimo consangu-
ineo & consiliario suo Ambrosio Comiti Warwici
Magistro Ordinationum suarum, necnon charissimis
consanguineis suis Henrico Comiti Pembroke, Ed-
wardo Comiti Hartford, Anthonio Viceromiti
Mountague; necnon reverendis in Christo Patri-
bus Johanni Episcopo London, Johanni Episcopo
Sarisburien', Johanni Episcopo Rossen'; ac prædi-
lectis & consiliariis suis Carolo Domino Howard
Magno Admirallo suo Angliæ, Henrico Domino de
Hunfdon Domino Camerario Hospitii sui; Ac eti-
am prædilectis & fidelibus suis Edwardo Domino
Zouch, Edwardo Domino Morley, Georgio Do-
mino Dacres; necnon prædilecto & fideli consilia-
rio suo Willielmo Domino Cobham, Domino Gar-
diano quinque portuum suarum, ac prædilectis &
fidelibus suis Arthuro Domino Grey de Wilton,
Johanni Domino Lumley, Henrico Domino Crom-
well, ac prædilecto & fideli consiliario suo Thomæ
Domino Buckhurft salutem. Cum nuper pro quibus-
dam arduis & urgentibus negotiis nos, statum &
defensionem regni nostri Angliæ ac Ecclesiæ Angli-
cane concernentibus præsens hoc Parliamentum no-
strum apud civitatem nostram Westmonasterii 23
die Novembris Anno Regni nostri 27^o inchoari &
teneri ordinaverimus, à quo die idem Parliamen-
tum nostrum tunc & ibidem tentum & continuatum
fuerat usq; ad & in 29 diem Martii, tunc prox' se-
quentem, Eodémq; die idem Parliamentum nostrum
usq; ad & 20 diem Maii tunc prox' sequentem pro-
rogatum fuerat, Eodémq; die idem Parliamentum
nostrum usq; ad & in septimum diem Junii tunc
prox' sequentem prorogatum fuerat, Eodémq; die
idem Parliamentum nostrum usq; ad & in vicesi-
mum diem ejusdem Mensis Junii prorogatum fuerat,
Eodémq; die idem Parliamentum nostrum usq; ad
& in vicesimum diem Octobris tunc prox' sequen-
tem prorogatum fuerat, Eodémq; die idem Parlia-
mentum nostrum usq; ad & in decimum diem Fe-
bruarii tunc prox' sequentem prorogatum fuerat, nec-
non idem Parliamentum nostrum usq; ad & in vi-
cesimum sextum diem Aprilis tunc prox' sequentem
prorogatum fuerat, necnon idem Parliamentum no-
strum à prædicto vicesimo sexto die Aprilis usq; ad

& in decimum quartum diem Novembris jam
prox' futurum prærogatum fuerat, ibidem tunc te-
nend' & proseguend': Sciatis tamen quod certis ur-
gentibus causis & considerationibus nos ad præsens
specialiter moventibus idem Parliamentum nostrum
hoc instante decimo quarto die Septembris duximus
dissolvend'. De fidelitate igitur prudentia & cir-
cumspectione vestris plurimum confidentes, de avisa-
mento & assensu consilii nostri assignavimus vos &
aliquos tres vel plures vestrum Commissionarios no-
stros, Dantes vobis & aliquibus tribus vel pluribus
vestrum tenore præsentium plenam potestatem, fa-
cultatem & authoritatem hoc instante decimo quarto
die Septembris ad dictum Parliamentum nostrum
nomine nostro plenariè dissolvend'. Et ideo vobis
mandamus quod vos, aliqui tres vel plures vestrum,
idem Parliamentum nostrum idem instante decimo
quarto die Septembris virtute harum literarum no-
strarum patentium nomine nostro plenè dissolvatis
& determinetis. Et ulterius volumus & per præ-
sentes concedimus & declaramus, quod idem Par-
liamentum nostrum vigore præsentium hoc instante
decimo quarto die Septembris dissolutum & deter-
minatum sit, & per has literas nostras patentes
idem Parliamentum nostrum penitus dissolvimus &
determinamus. Et ideo vobis mandamus quod circa
præmissa diligenter intendatis, ac ea in forma præ-
dicta effectualiter expleatis & exequamini. Volu-
mus etiam & concedimus quod omnes & singuli Ar-
chiepiscopi, Marchiones, Comites, Vicecomites, Epi-
scopi, Barones, Milites, Cives & Burgenses, ac om-
nes alii quorum interest, ad dictum Parliamentum
nostrum conventuri de omni eo quod eis pertinet in
præmissis faciend' & exequend, sint omnino tenore
præsentium exonerati & quieti in omnibus prout
debet. In cujus rei testimonium has literas nostras
feri fecimus patentes. Teste me ipsa apud Westmo-
nasterium decimo quarto die Septembris Anno Reg-
ni nostri 28^o.

Per ipsam Reginam.

Nota, That this last Dissolution of the afore-
said Parliament in Anno 28 Regine Eliz. Anno Do-
mini 1586. was somewhat above one whole year
and a half from and after the first Prorogation
thereof, which was on Monday the 29th day of
March (Anno 27 Regine ejusdem Anno Domini
1585.) by which it is probable that her Majesty
had intended at first to have made this and the
Parliament that follows to have been but two
Sessions, and not two several Parliaments as after-
wards it fell out, and as they now remain. And
it is the more strange that this resolution was at
all altered, because the ensuing Parliament held
in Anno 28, & 29. Regine Eliz. Anno Domini
1586. began within some forty five days after
this last recited day, on which this aforesaid Par-
liament was Dissolved as is aforesaid.

And that which yet maketh this foresaid Dis-
solution of the above-mentioned Parliament on
this 14th day of September, the more strange, is,
because it had been last prorogued on the 26th
day of April Anno 28 Regine Eliz. unto the 14th
day of November following, which if it had held,
would

would have fallen out full two Months after this day of the Dissolution thereof, and at least a Fortnight after the 29th day of *October*, on which the next and new Parliament began in the said twenty eighth year of her Majesties Reign. But to clear this, doubtfully there was no other cause or ground upon which her Majesty altered that her first resolution, but the blessed and strange discovery of that most horrible and merciless Conspiracy plotted between the Scottish Queen, *Ballard*, *Babington* and others, for the speedy Murthering of her Majesty and Extirpation of true Religion. The manner and Execution whereof having continued in agitation between them from *July* to *September*, in this said twenty eighth year of her Majesties Reign, upon the 20th day of the last mentioned Month, the two foresaid Conspirators and five

more of their notablest Complices, were Executed in *S^t Giles-Fields* near *London*, having been Condemned upon *Tuesday* the 13th day of the said Month, which was the very day foregoing the said 14th day of the same Month on which the foresaid Parliament was Dissolved, as appears fully by the fore-recited Commission. After which also before the new Parliament began on *Saturday* the 29th day of *October* following, the Queen of *Scots* was tried at *Fotheringhay-Castle* in *Northamptonshire*, and after Condemned in the Star-Chamber by the lawful Verdict of her Peers, the proceedings whereof lasted from the 11th day of the Month aforesaid, being *Wednesday* unto the 25th day of the same being *Tuesday*, which Sentence was affirmed and allowed by the Parliament following in *Anno 28 Regis. Eliz.*

Vide *Camden*
Annal. p.
432.

T H E
JOURNAL
O F T H E
House of COMMONS.

A Journal of the Passages of the House of Commons in the Parliament holden at Westminster, Anno 27 Reginae Eliz. Anno Domini 1584. which began there on Monday the 23th Day of November, and then and there continued until the Prorogation thereof on Monday the 29th Day of March Anno Domini 1585. and was lastly Dissolved on Wednesday the 14th Day of September, Anno 28 Reginae ejusdem, Anno Domini 1586.

THIS Ensuing Parliament is replenished with many Excellent Passages concerning the Orders, Privileges and Usages of the same, from which also divers good Precedents may be gathered touching Elections and Joint-Conferences with the Lords of the Upper House; neither finally doth it want sufficient matter of publick Agitations, the danger of the State and the Ecclesiastical Government of the Church being at large debated in it; in which also appears the zeal of the said House against one Doctor *Parrie*, a notorious Traytor, being a Member thereof.

The Parliament beginning on *Monday* the 23th day of *November* in *Anno hoc* 27 *Reginae Eliz.* her Majesty came from her Palace of *Whitehall* in her accustomed, and Royal and stately manner, unto the Cathedral Church of *Westminster*, about . . . of the Clock in the Forenoon, during whose being there, the Earl of *Leicester* at this time Lord Steward of her Highness Household, came into the Utter-Room of the House of Commons, and then and there before his Lordship, did the right honourable Mr Treasurer, and Mr Comptroller of her Majesties Household, and Mr Chancellor of the Exchequer, being severally chosen and returned Knights into the said House of Commons for the Counties of *Oxon*, *Hereford* and *Northampton*, take and pronounce the Oath according to the Statute in that behalf made and

provided; which done, the said Lord Steward departed from the House into the lower end of the Room called the *White-Hall*, or Court of Requests, and then also did the right honourable Mr Secretary *Walsingham*, returned one of the Knights for the County of *Surrey*, likewise take and pronounce the said Oath before his Lordship. And then his Lordship caused as many of the said Knights, Citizens, Burgeesses and Barons, as at that time were returned into the Crown-Office, to be called and returned, and the names to be pricked of so many of them as then appeared; and so nominating and appointing the said four honourable Personages to be his Lordships Deputies, to see the said Oath taken and pronounced by all the residue of the said House of Commons, departed; and thereupon his Lordships said Deputies proceeded to the further ministring of the said Oath unto the residue of the said House of Commons.

But before such time as these four right honourable Personages, deputed by the Earl of *Leicester* as aforesaid, had administered the said Oath to all such of their fellow Members of the House of Commons as were present, although the greatest part of them had taken it, they had notice about two of the Clock in the Afternoon, that her Majesty, with divers of the Lords Spiritual and Temporal, were then already set in the Upper House and there expected them; who thereupon all of them together repaired thither,

thither, and as many as conveniently could being let in, Sir *Thomas Bromley* Lord Chancellor having made an Oration unto the whole Assembly, did in the end declare unto the Knights, Citizens and Burgeſſes of the ſaid Houſe of Commons, that it was her Maſteſties will and pleaſure that they ſhould go together unto their own Houſe, and there amongſt themſelves ſhould chuſe a Speaker, and of the day of his Preſentation her Maſteſty would hereafter give them further Order.

Whereupon they departed thence, and came into their own Houſe, where being ſet, and the number appearing upon the view not to be much leſs than the whole, Sir *Francis Knowles* Knight Treafurer of her Highneſs's Houſhold ſtood up, and put them in mind how lately the Lord Chancellor had ſignified unto them her Maſteſties pleaſure for the choice of a Speaker. And further added, that for his part he did very well allow of Mr Serjeant *Puckering*, as of a very able Member of the ſaid Houſe, to be choſen into the ſaid place, and to undergo it; yet nevertheleſs did leave every man to his own free opinion to nominate any other of whom they might think better.

After whoſe Speech many of the ſaid Houſe named alſo Mr Serjeant *Puckering*, and none was heard to diſallow or ſpeak againſt the ſaid choice; whereupon Mr Treafurer ſtanding up again, did then and there put it to the queſtion, asking them whom they would be pleaſed to allow of for their Speaker, and to name him. To which the greater part of the Houſe making Answer again, that they did allow of and chuſe the ſaid Mr Serjeant *Puckering* for their Speaker as before, he ſtood up, and in a modeſt and humble Speech diſabled himſelf, yet withal acknowledging the great favour of the Houſe unto him, in that they had been pleaſed to nominate and chuſe him unto a place of ſo great charge and weight. Which excuſe of his being not allowed, he was led up between two of the moſt eminent Perſonages of the ſaid Houſe unto the Chair, and placed in it.

On *Tuesday* the 24th day of *November*, it ſeemeth the Houſe met not, becauſe the Speaker was not yet preſented, neither is there any mention of the ſaid day in the Original Journal-Book of the Houſe of Commons *de Anno iſto 27^o Regina Eliz.*

On *Wednesday* the 25th day of *November* Mr Treafurer ſignified unto the Houſe that her Maſteſties pleaſure was, that the Speaker be preſented unto her Highneſs in the Upper Houſe to morrow next at two of the Clock in the Afternoon; and therefore willed every one of this Houſe to take notice thereof, to the end they may then and there wait upon her Maſteſty accordingly.

On *Thursday* the 26th day of *November* the Queens Maſteſty and divers of the Lords Spiritual and Temporal being ſet in the Upper Houſe, the Knights, Citizens and Burgeſſes of the Houſe of Commons had notice thereof about two of

the Clock in the Afternoon, and thereupon with *John Puckering* Serjeant at Law their Speaker Elect, they repaired thither, the ſaid Prolocutor or Speaker being led up by two of the moſt honourable Perſonages of the ſaid Houſe, and there having made his excuſe according to the uſual form at the Bar or Rail at the lower end of the Upper Houſe, it was not allowed by her Maſteſty; whereupon the ſaid Speaker having with all humble acknowledgment of her Maſteſties favour ſubmitted himſelf (according to the uſual courſe) to the undergoing of the ſaid Prolocutorſhip, made certain Petitions in the name of the Houſe of Commons for freedom of ſpeech, of acceſs to her Maſteſty, and immunity from Arreſts and Suits for themſelves and their neceſſary Attendants. And laſtly petitioned for himſelf, that if in any thing he ſhould erre or miſtake unwillingly, her Maſteſty would be pleaſed to pardon it.

To which Speech the Lord Chancellor delivered her Maſteſties Answer by her commandment, that ſhe was graciouſly pleaſed to allow of his ſaid Petitions, and therefore wiſhed them to uſe their ſaid Liberties and Priviledges with moderation and reverence. Then the Knights, Citizens and Burgeſſes departing with their Speaker to their own Houſe, there was read one Bill only the firſt time, being for the better and more reverent obſerving of the Sabbath day; after the reading whereof the Houſe roſe.

On *Friday* the 27th day of *November* two Bills had each of them one reading; of which the ſecond being the Bill for the better and more reverent obſerving of the Sabbath day, was read the ſecond time, and committed unto Sir *Walter Mildmay*, Sir *John Higham*, Sir *Francis Drake*, Mr. Recorder of *London*, Mr. *James Dalton*, Mr. *George Moore*, Mr. *Brooke*, Mr. Doctor *Turner*, Mr. *Francis Haſtings*, Mr. *Fox*, Mr. *Anderson*, Sir *Richard Greenfield*, Mr. *William Mohun*, Sir *Drew Drewry*, Sir *Henry Nevill*, Sir *William Moore*, Sir *Nicholas Woodroſe*, Sir *William Herbert*, Mr. *Robert Beale*, Mr. *Edward Popham*, Mr. *Strickland*, Mr. *Edward Lewkenor*, Sir *Robert Germin*, Mr. Lieutenant of the Tower, Mr. *George Carie*, Sir *Thomas Manners*, Mr. *Daniel*, Mr. *John Bretton*, Mr. *Grice*, Mr. *Richard Prowze*, Mr. *Thomas Brereton*, Sir *Richard Knightly*, and Sir *William Mallory*, who were appointed to meet this Afternoon at two of the Clock in the Exchequer-Chamber, and the Bill was delivered to Sir *William Mallory* one of the ſaid Committees.

Nota, That this Bill of the Sabbath did not paſs the two Houſes, but another, and that alſo not without great difficulty and long debatement being committed, and amendments upon amendments added unto it, *ut vide* on *Wednesday* the 17th day of *March* following.

On *Saturday* the 28th day of *November* three Bills of no great moment had each of them their firſt reading; of which the firſt was concerning the better purſuit of Hue and Cry.

Sir *Walter Mildmay* Chancellor of the Exchequer

quer taking occasion to speak of the sudden calling of this Parliament at so unseasonable a time of the year, and of the likelihood of the short continuance thereof, did thereupon declare the same to be called for very urgent and necessary causes.

Sir *Christopher Hatton*, Vice-Chamberlain of her Majesties Household, spake next, and it seemeth much to the same effect with Mr. Chancellor of the Exchequer; but what the very words were, or the substance of them, is wholly omitted in the Original Journal-Book of the House of Commons, although these two Speeches did last about two hours, as is afterwards shewed. At the end whereof it seemeth further, that a Committee was appointed to consider of a Bill to be drawn concerning the matter of Subsidy.

One being no Member of this House, being found to have fit here this present day by the space of two hours, during the whole time of the Speeches delivered by Mr. Chancellor and Mr. Vicechamberlain, as aforesaid, did upon Examination confess his name to be *Richard Robinson*, and that he was by occupation a Skinner, and dwelt at the *Harts Horns* in *Gracious-street London*, the house of one *Mark Fryer* a Skinner also his Father-in-law: Whereupon himself having been stripped to his shirt, and his pockets all searched, the Custody and further Examination of him was by this House referred to Mr. Recorder of *London*, Mr. *Topcliffe*, Mr. *Beale*, and another.

Charles Morgan Gentleman, Servant unto Sir *George Carie Knight*, returned this Parliament for one of the Knights of the County of *Southampton*, being himself no Member of this House, was found to be standing within the said House near unto the door, and as it was thought of meer ignorance and simplicity without any evil purpose or meaning; and therefore was committed by Order of the House unto the Serjeants Ward till the next sitting of this Court, and then such further Order to be taken therein, as by this House shall be requisite.

On *Monday* the 30th day of *November* Mr. Recorder of *London* shewed to the House, that he and Mr. *Topcliffe* had taken the Examination of *Richard Robinson* found to be sitting there on *Saturday* last, although he were no Member of it, the taking whereof had been then also referred unto them, and thereupon he delivered the same in writing; which having been read by the Clerk of the Parliament, the said *Robinson* was brought to the Bar, and was there censured by the House, having taken the Oath (as it should seem of Allegiance and Supremacy) to suffer Imprisonment in the Serjeants Ward until *Saturday* next, and then having sworn to keep secret what he had heard, to be released without further moving the House. *Vide* touching this business in *fine diei precedentis*.

Mr. Recorder also offered and commended to the House a certain Bill touching Barks or Stocks, which had been tendred in like manner before in a former Session.

Mr. Speaker made another motion to the House, to take Order with their Servants and Pages to forbear such misbehaviour and disorder as hath formerly been used, and that they may henceforth avoid from the stairs which lead up to the House out of *Westminster-Hall*.

Charles Morgan Gentleman, who had been present in the House on *Saturday* last, being no Member of it, and had thereupon been committed unto the Serjeants Ward, was this day brought to the Bar, and having taken the Oath of Supremacy, was discharged upon payment of his Fees.

Five Bills of no great moment had each of them one reading; of which the first being the Bill, that Parsonages impropriate might be converted to charitable and pious uses, was read the first time.

Upon a motion this day made to the House, that *Thomas Bodley* Gentleman being returned a Burgess into this Parliament for the Town of *Portsmouth* in the County of *Southampton*, and also a Baron for the Port of *Hieth*, and can appear but for one of the same places, it was (upon the said Mr. *Bodley* his choice made to appear for the said Town of *Portsmouth* in the County aforesaid) Ordered that a Warrant from this House should be directed to the Clerk of the Crown-Office in the Chancery for a new Writ to be awarded for the chusing and returning of another Baron of the said Port of *Hieth* into this House in lieu and stead of the said Mr. *Bodley* accordingly.

On *Tuesday* the first day of *December* five Bills of no great moment had each of them one reading; of which the first being the Bill concerning Parsonages impropriate to be disposed to charitable and pious uses, was after the second reading and sundry Arguments about it, committed to Mr. Treasurer, Sir *John Higham*, Mr. Solicitor, Mr. Recorder, Mr. *Heale*, Mr. *Skinner*, and others who were appointed to meet this Afternoon at one of the Clock in the Exchequer-Chamber, and the Bill was delivered to Mr. Treasurer one of the said Committees.

Upon a motion for a Committee of some few of this House, being learned in the Laws, to peruse all such Statutes as are to have their continuance but unto the end of this present Session of Parliament, divers of the House were appointed to collect the Titles of all such Statutes; to the end that upon view and consideration to be severally had of them by the House, it may further be considered which of them are still to be continued, and which not. The names of which persons so appointed were as followeth, *viz.* Mr. Recorder of *London*, Mr. Solicitor General, Mr. *Morrice*, Mr. *Sandes*, Mr. *Henry Beamond*, Mr. *Waterhouse*, Mr. *Fanshaw*, Mr. *Richard Lewkenor*, Mr. *Cromwell*, Mr. *Thimbleby*, and Mr. *Hamman*.

On *Wednesday* the second day of *December* three Bills of no great moment had each of them one reading; of which the second being the Bill for reformation of disorders in common Informers,

mers, was upon the second reading committed to M^r Chancellor of the Exchequer, M^r *Alford*, M^r *Henry Beamond*, and others who were appointed to meet on *Friday* next at one of the Clock in the Afternoon in the Exchequer Chamber. And the third and last Bill concerning Actions upon the Case to be tried in their proper Counties, was upon the second reading committed unto M^r *Dale* one of the Masters of Requests, M^r Solicitor, M^r Attorney of the Court of Wards, and others, who were appointed to meet upon *Saturday* next being the fifth day of this instant *December*, at two of the Clock in the Afternoon, in the Exchequer Chamber.

This Bill had been much argued upon, before it was committed; and it seems some Arguments being not liked, divers of the House had endeavoured by coughing and spitting to shorten them. Whereupon Sir *Francis Hastings* made a Motion (that as upon like occasion offered, others had moved, that words of note, as *Town-Clerk* and such like, should not offensively be applied to the persons of such as had formerly spoken) that in like manner it were now to be wished that in respect of the gravity and honour of this House, when any Member thereof shall speak unto a Bill, the residue would forbear to interrupt or trouble him by unnecessary coughing, spitting or the like.

On *Thursday* the third day of *December*, Six Bills of no great moment had each of them one reading; of which the fourth being the Bill concerning Hue and Cry was read the second time, and committed unto Sir *Richard Greenfield*, Sir *Henry Cock*, M^r *Richard Lewkenor* and others, who were appointed to meet to Morrow at one of the Clock in the Afternoon in the open Exchequer Court.

The fifth Bill also was brought into the House by M^r Chancellor of the Exchequer, being a new Bill for the better and more reverend observation of the Sabbath day, which had been framed by the Committees appointed to consider of the old Bill on *Friday* the 27th day of *November* foregoing, and had this day its first reading.

Nota, That though the old Bill was altered, and this new Bill concerning the Sabbath, framed by the Committees appointed on the said 27th day of *November* as aforesaid, were now brought into the House and read; yet it did not pass the two Houses without much dispute and great difficulty, being committed and amendments upon amendments added unto it, *ut vide* on *Wednesday* the 17th day of *March* following.

The last Bill of the said six being for a Bank of general Charity to be appointed for the relief of common necessity was put to the Question upon the first reading, and rejected. *Quod nota*, because it is not usual for a Bill to be put to the Question upon the first reading.

Upon the report of Sir *James Croft* Comptroller of her Majesties Household, and M^r *William Howard*, of the great disorder of Serving-men

and Boys in hurting and misusing of other Persons, and of whom M^r Comptroller and M^r *Howard* did see and take two of the said disordered persons; It was Ordered, that the Serjeant of the House should wait upon M^r Comptroller to know the same two Persons, and to bring them to this House to Morrow, sitting the Court.

The Bill lastly for the true Answering of Tithes was read the second time, and thereupon committed unto Sir *Richard Greenfield*, Sir *John Peter*, Sir *William Harbert*, M^r *Dale* one of the Masters of the Requests, and the Bill was delivered to the said M^r *Dale*, who with the rest was appointed to meet on *Monday* the 8th day of this instant *December* following at two of the Clock in the Afternoon in the *Middle-Temple* Hall.

On *Friday* the 4th day of *December*, Three Bills of no great moment had each of them one reading; of which the third being the Bill against partial Juries and Trials, was upon the second reading committed unto M^r Recorder of *London*, M^r *Tanfield*, M^r *Cromwell* and others; and the Bill was delivered to M^r Attorney of the Court of Wards, one of the said Committees, who with the rest was appointed to meet upon *Monday* the 7th day of this instant *December* following at two of the Clock in the Afternoon in the *Inner-Temple* Hall.

The Bill for the maintenance of Navigation, and another Bill concerning Cloth at *Boxted* in *Essex*, having passed the House upon the third reading, were sent up to the Lords by M^r Treasurer of her Majesties Household, M^r Vice-Chamberlain and others.

The Bill for the better and more reverend observation of the Sabbath day was read the second time and Ordered to be ingrossed. *De qua Vide* plus on *Wednesday* the 17th day of *March* following.

Upon a Motion made this day unto the House by M^r Speaker, that M^r *Marmaduke Wivell* one of the Burgesses for the Borough of *Richmond* in the County of *York*, is lately fallen very sick, and not able to give his attendance on this House till he shall have recovered better health, and therefore desireth in the mean time Licence of this House to go a little into the Country to take change of Air for a short time for the seeking of his better health and strength, it was granted, and agreed by this House that he may do so with the good favour and leave of this House accordingly.

Upon another Motion also made by M^r Speaker for M^r *Edward Leigh* Esquire, one of the Knights returned into this present Parliament for the County of *Stafford*, and since that time chosen to be Sheriff of the said County of *Stafford*; It was likewise Ordered by this House, that the said *Edward Leigh* may with the good leave of this House have liberty to absent himself in and about his necessary charge and service in the said Office of Sheriffwick.

Nota, That hence it may be probably gathered,

ed, that neither her Majesty nor the House of Commons did conceive these two places to be incompetent, but that they might well stand and be in one and the same Man at one and the same time; for her Majesty did first make him Sheriff of the County of *Stafford*, not only after he was chosen, but returned a Knight of the same County also, which it is very plain she could not be ignorant of; and therefore her self and the House of Commons did both allow of his being made Sheriff as a thing well agreeing with the privilege of his former place, and the service of that House, and did not therefore give him a final discharge, but only liberty of recess about his necessary affairs into the Country, as in the foregoing case of sickness, which being expedited, he might return again to that service. For doubtless if the said House had conceived that he had been utterly disabled from his serving there by his new Office, it would have been Ordered, That a Warrant should have been sent to the Clerk of the Crown to have sent down a new Writ into the said County of *Stafford* for a new Election to have been made; as in the case of double Returns, death or the like is used. Besides, if her Majesty might have disabled as many Members from serving in that House as she should or could have made Sheriffs, it had lain in her power (and may lye in the power of any King or Queen of this Realm for the time being) to have disfurnished the House of Commons at any time of all or the greater part of the ablest Members thereof.

Against this Opinion the words of the very Writ, by Authority whereof the Knights, Citizens, Burgesses and Barons of the House of Commons are elected, hath been and may be still objected, *viz. Nolumus autem quod tu, nec aliquis alius Vicecomes dicti Regni nostri aliquammodo sit electus, &c.* which words were not in the Writ during the Reign of King *Henry the Third*, E. 1. E. 2. and the beginning of the Reign of King *Edward the Third*, but crept in afterwards by virtue of an Ordinance of Parliament upon some special occasion to that end made, which is entered in *Rotulo Parliamenti de Anno 46 E. 3. num. 13.* And therefore the constant practice in many Parliaments since to the contrary may well be admitted and followed, as the greater and more swaying Authority, which also appeareth in the aforesaid Precedent, the said Mr *Leigh* being allowed to maintain and retain both the said places, and to serve in them without all manner of dispute or question. *Vide plus* concerning this business on *Tuesday* the 23. day of *February* following.

This Ordinance inhibited also as well the Election of Lawyers as of Sheriffs.

On *Saturday* the 5th day of *December* two Bills of no great moment had each of them one reading; of which the last being the Bill against the delay of Justice, was upon the second reading committed unto Mr *Vicechamberlain*, Mr *Chancellor of the Exchequer*, Mr *Sandes*, Mr *Solicitor*, and others, who were appointed to

meet on *Monday* the 7th day of this instant *December* following in the Afternoon in the *Exchequer-Chamber* or *Star-Chamber*.

The Bill also for the better and more reverent observing of the Sabbath day was read the third time, and upon the question passed the House. *Vide* touching this Bill on *Wednesday* the 17th day of *March* following.

The Lords also sent back to the House of Commons the Bill touching *Boxted* Clothes with some amendments and additions, which had been carried up yesterday to their Lordships by Mr *Treasurer* and others from the said House.

The Bills, lastly, for reformation of Informers, and for Actions upon the Case to be brought in their proper Counties, were appointed to be dealt in in the *Exchequer-Chamber* at two of the Clock this Afternoon by the Committees of the same Bills, upon warning thereof given unto them by this House, at the motion of Mr *Chancellor of the Exchequer*.

On *Monday* the 7th day of *December* three Bills of no great moment had each of them their first reading; of which the second being the Bill concerning the Town of *Richmond* was rejected upon the Question. *Quod nota.*

The third Bill also being for the assurance of certain Messuages and Lands, late *Edward Fishers*, unto *George Chemne* Esquire and others in Fee simple, was upon the first reading committed unto Mr *Recorder*, Mr *Morrice*, Mr *Sandes* and Mr *Clement Fisher*, and it was Ordered, That the said Mr *Edward Fisher* shall have word thereof by the Serjeant of this House this present day, and a reasonable time given him to attend upon the said Committees, and to be heard (if he will) what he can say why the said Bill should not pass this House. *Nota* also, that this Bill was here committed upon the first reading. *De qua vide plus* on *Monday* the 22th day of *February* following.

Mr *Chancellor of the Exchequer* in the name of himself and the other Committees for the Bill for reformation of disorders in common Informers, shewed, that they had met together and had conference touching the same Bill, and have in some parts amended the same and added thereunto, and so offered it to the House. Whereupon the said Bill being with the amendments and additions twice read, was ordered to be ingrossed.

The Bill for the more reverent observation of the Sabbath day, and the Bill concerning *Boxted* Clothes with the amendments and additions of the Lords, allowed and thrice read and passed, were sent up unto them by the House of Commons by Mr *Comptroller* and others. *Vide plus* concerning the Bill of the Sabbath on *Wednesday* the 17th day of *March* following.

The Committees in the Bills for Hue and Cry, for true answering of Tithes, and against Tryals by partial Juries, were appointed to meet in the *Middle Temple-Hall* to morrow at two of the Clock in the Afternoon, upon Consideration that

that the most part of the Committees are to meet this Afternoon in the great Committee.

M^r Comptroller and M^r Lieutenant of the *Tower*, were appointed by the House to examine the affray even now made in the *White-Hall* or Court of Requests, as M^r Comptroller and the residue were carrying up the two last mentioned Bills to the Lords.

The Bill touching *Suffolk-Cloths* was read the second time, and committed unto M^r Treasurer, M^r Comptroller, M^r Vice-Chamberlain, M^r Chancellor of the Exchequer, Sir *Robert Germin*, Sir *William Drurie*, M^r *Rawleigh* and others; and the Bill was delivered to M^r Treasurer, who with the rest was appointed to meet upon *Thursday* next being the 10th day of this instant *December* following at one of the Clock in the Afternoon in the Exchequer Chamber.

The Committees also in the Bill against the delay of Justice, were appointed to meet upon *Wednesday* next being the 9th day of this instant Month of *December* in the Afternoon, (but the hour is not specified) in the Exchequer Chamber.

The Bill lastly for bringing in of staple Fish and Ling, was upon the second reading committed unto Sir *Francis Drake*, M^r *Fenner*, M^r *Grice*, Sir *Edward Dymock* and others; and the Bill was delivered to the said Sir *Edward Dymock*, who with the rest was appointed to meet on *Thursday* the 10th day of this instant *December* following, at one of the Clock in the Afternoon in the Exchequer Chamber.

On *Tuesday* the 8th day of *December*, the Bill for preservation of Timber in the County of *Sussex* was read the second time, and committed unto M^r Comptroller, Sir *Thomas Shirley*, Sir *Philip Sidney*, M^r *Alford*, M^r *Robert Sackville* and others, who were appointed to meet on *Saturday* the 12th day of this instant *December* following at two of the Clock in the Afternoon in the Star-Chamber Court.

Upon a Motion made by M^r Speaker for the opinion of this House touching the validity of some Knights returned for some Shires of this Realm, not being (as it is supposed) chosen at the next County after the date of the Writ of Summons of this Parliament, and after some Speech also therein offered by M^r *Bevill*, by which he seemed to suspect that the matter of the Motion tended to and concerned himself and M^r *Darrington* returned Knights for the Shire of *Huntington*, it was referred unto M^r Treasurer, M^r Vice-Chamberlain, Mr. Solicitor and Mr. Recorder of *London*, who were appointed to meet on *Saturday* the 12th day of this instant *December* following in the Forenoon (but no hour specified) in the Exchequer Chamber. *Vide plus* concerning this matter on *Saturday* the 12th day, and on *Monday* the 21th day of this instant *December* ensuing.

Upon a Motion made unto this House by M^r Lieutenant of the *Tower*, that the Armour of Papists being Recufants might not remain in their

own Custody; It was Ordered that Mr. *Sandes* and Mr. *Monit* do draw a Bill to that end.

The Committees in the Bill against the delay of Justice were appointed to meet upon *Friday* the 11th day of this instant *December* following, at two of the Clock in the Afternoon in the Exchequer Chamber.

On *Wednesday* the 9th day of *December*, Three Bills of no great moment had each of them one reading; of which the last touching Tanners, Curriers, Shoemakers, &c. was upon the second reading committed unto Mr. Solicitor, Sir *William Moor*, Mr. Recorder of *London*, Mr. *Dalton* and others, who were appointed to meet upon *Monday* the 14th day of this instant *December* following, at one of the Clock in the Afternoon in the *Guild-Hall*.

The Bill for redress of disorders in common Informers, was after the third reading and many Arguments committed again to the former Committees (Mr. Treasurer and Mr. Vice-Chamberlain being added unto them) Mr. Solicitor, Mr. *William Moore*, Mr. Recorder of *London*, Mr. *Harne*, Mr. *Morice*, Mr. *Dulton*, Mr. *Francis Bacon*, Mr. *Beale* and Mr. *Owen*, who were appointed to meet upon *Saturday* the 12th day of this instant *December* following at one of the Clock in the Afternoon, but no place mentioned where.

Nota, That this Bill was committed upon the third reading, having been formerly committed upon the second, which is not usual.

Another Bill also of no great moment concerning Sheriffs was upon the second reading committed; but to whom it was committed, or when and where the said Committees should meet, is not at all set down in the Original Journal-Book of the House of Commons, but seemeth to have been omitted through the negligence of M^r *Fulk Onslow* at this time Clerk of the same.

On *Thursday* the 10th day of *December*, Two Bill of no great moment had each of them their first reading; of which the first was the Bill for the preservation of *Plymouth-Haven*.

M^r Serjeant *Gawdy* and M^r Attorney General did bring a Message from the Lords, that their Lordships do pray Conference with some of this House to join with a Committee of their Lordships touching the Bill lately passed this House and sent up unto their Lordships, for the better and more reverend observing of the Sabbath day. Whereupon M^r Treasurer, M^r Comptroller, Mr. Vice-Chamberlain, the Lord *Russell*, Sir *William Herbert*, Sir *William Moore*, Mr. *Edward Lewkenor*, Mr. *Francis Hastings* and Mr. *George Moore* were appointed by this House to attend their Lordships therein to Morrow at two of the Clock in the Afternoon in the Parliament Chamber. *Vide* concerning this matter of the Sabbath on *Wednesday* the 17th day of *March* following.

The Bill against dying with Sumach, and some other Bills wholly omitted through the negligence of the Clerk, and therefore seem to have

been of no great moment, were upon the second reading committed unto Mr. Treasurer, Mr. Recorder of London, Mr. Hutton, Mr. Henry Nevill and others; and the Bills were delivered to the said Mr. Henry Nevill, who with the rest were appointed to meet upon Monday next the 14th day of this instant December following in the Afternoon in the Middle-Temple Hall.

The Bill also against vicious life and idleness was upon the second reading committed unto Sir William Herbert, Sir Edward Dymock and others, and the Bill was delivered to the said Sir Edward Dymock, who with the rest were appointed to meet to Morrow at one of the Clock in the Afternoon in the Middle-Temple Hall.

Mr. Recorder one of the Committees appointed on Monday the 7th day of this instant December foregoing in the Bill for the assurance of certain Messuages, Lands and Tenements late Edward Fishers unto George Chewne Esquire and others in Fee-Simple, according to the true intent and meaning of certain Conveyances unto them by the said Edward Fisher made, reported to the House that upon Examination by himself and the other Committees therein had, and also by comparing and conferring the Contents of the preamble of the said Bill with the Conveyances of the premisses, and also with the Judgment upon the forgery in the Star-Chamber, and also of their Conferences had with the said Edward Fisher and Katherine his Wife, as well together as a part and asunder touching the premisses and circumstances of the same, they have amended the said Bill according to the said Conveyances, not only in the form thereof, but also in the principal matter and substance, and offered both the said Bill so amended, the said Evidences or Conveyances (being two several Deeds) indented and inrolled in the Court of Chancery, and also the said Judgment in the Star-Chamber exemplified under the Great Seal of England. Whereupon the Bill was presently read, and the said amendments also twice read, and so the Bill thereupon Ordered to be ingrossed. *Vide plus* on Monday the 22th day of February following.

On Friday the 11th day of December, Six Bills of no great moment had each of them one reading; of which the Bill concerning the aforesaid business of Edward Fisher, and for the assurance of certain Lands lately sold by him unto George Chewne Esquire and others in Fee-simple, did pass upon the third reading. *Vide plus* on Monday the 22th day of February following.

Mr. Vice-Chamberlain in the behalf of himself and of the residue of the Committees in the great Causes, shewed unto the House, that they have had sundry Meetings together, and endeavoured to draw two several Bills to such ends as they thought fittest, and having one of the said Bills ready drawn, but not the other, yet for want of longer time to meet, and which yet cannot now be before Monday next, offered unto the said House the Bill that was ready drawn. But what the Title of the Bill was, or what these

great matters were, is wholly omitted through the Clerks negligence: yet it may be probably conjectured, that they were concerning the Subsidy and Religion, or the Bill for the preservation of her Majesties most Royal Person. *De qua vide* on Monday the 14th day of December following.

The Bill lastly touching Grants by Corporations was upon the second reading committed unto Mr. Comptroller, Mr. Recorder and others.

But the time and place appointed for their meeting is in the Original Journal-Book of the House of Commons through the Clerks negligence wholly omitted.

On Saturday the 12th day of December, Notice being given to the House of one Mr. Hall a Member of the same, that had not attended all this Parliament, it was Ordered that the Serjeant should give him warning to attend upon Monday next. *Vide plus in fine hujus diei.*

Mr. Recorder of London and Mr. Solicitor were appointed by the House to examine the Record of the return of Mr. Bevill and Mr. Darrington the two Knights chosen for the Shire of Huntington, and of the circumstances thereof.

Nota, That the Recorder of London is in this place and in all other Passages of this Journal, for the most part named, and ranked before the Queens Solicitor, although his place at this time be after him.

Mr. Bevill one of the Knights returned for the said County of Huntington, declared, that he was charged by a Member of this House, that he had lied in his former Speech to this House touching the Declaration of the manner of choosing himself and Mr. Darrington Knights for the Shire of Huntington; wherein as he taketh himself to be very much abused being a Member of this House, so appealing himself to the same, he prayed remedy and order to be given therein by this honourable House upon the hearing of the cause. *Vide plus* concerning this matter on Tuesday the 8th day of this instant December foregoing, as also on Monday the 21th day of the same Month following.

The Bill for the assurance of certain Messuages, Lands and Tenements, late Edward Fishers unto George Chewne Esquire and others in Fee-simple, was sent up to the Lords by Mr. Treasurer and others. *Vide de ista materia* on Monday the 22th day of February following.

Mr. Serjeant Gawdy and Mr. Attorney General did bring from the Lords a Bill for remedy against fraudulent Conveyances, with recommendation thereof from their Lordships to this House, and request also for present Conference with the Committees of this House touching the Bill for the observation of the Sabbath day. Of which see more on Wednesday the 17th day of March following.

Sir William Knolles, Mr. Fanshaw and others were appointed Committees this Afternoon to meet in the Middle-Temple Hall about the Oath for Sheriffs, &c.

Three Bills of no great moment had each of them one reading; of which the last being the Bill touching Collectors of Issues by Juries, was upon the second reading committed unto Mr. *Cromwell*, Mr. *Nathanael Bacon*, Mr. *Henry Barkley* and others, and the Bill was delivered to the said Mr. *Barkley*, who with the rest was appointed to meet in the *Middle-Temple Hall* to Morrow at two of the Clock in the Afternoon.

The Lords did this Morning send down to the House of Commons a Bill touching the assurance of certain Lands to Sir *Thomas Lucy* Knight and others.

The business of Mr. *Arthur Hall*, of which the House had been informed upon their first meeting this Morning, was before the rising of the House referred to Mr. *Wolley*, Mr. *Cromwell*, Mr. *Diggs* and Mr. *Sandes*, to peruse the order touching the same against Monday next, being the day appointed by the House for the said Mr. *Hall* to appear before them.

On Monday the 14th day of December further day was given unto the Committees for the Bill touching Tanners, &c. and to meet at the *Yeeld-Hall* (alias *Guild-Hall*) to Morrow at two of the Clock in the Afternoon.

The Bill for Confirmation of Letters Patents granted unto *Walter Rawleigh* Esquire for the discovery of Foreign Countries was read *prima vice*.

Three Petitions touching the liberty of Godly Preachers, and to exercise and continue their Ministries, and also for the speedy supply of able and sufficient men into divers places now destitute and void of the ordinary means of Salvation, were offered unto the House; the first by Sir *Thomas Lucy*, the second by Sir *Edward Dymock*, and the third by Mr. *Gates*: which were all thereupon read, and further proceedings therein deferred until a more convenient time. *Vide* concerning this matter on Monday the 22th day of February following, and more largely on Thursday the 25th day of February ensuing.

Which notwithstanding Doctor *Turner* a little after rose up, and put the House in remembrance of a Bill and Book heretofore offered by him unto the said House, which had been digested and framed by certain Godly and Learned Ministers, and which said Bill and Book did tend to no other end, as he conceived, than the Glory of God, the Safety of her Majesty and the benefit of the Common-Wealth; and therefore prayed that it might be read.

Against which Sir *Francis Knolles* Knight, Treasurer of her Majesties Household spake first, but in few words; and after him Sir *Christopher Hatton* Knight her Majesties Vice-Chamberlain more largely, who pressed and moved the House so far therein, that it was at length resolved, that the said Book and Bill should not be read. But touching all necessary and fit liberty of the aforesaid Ministers, or supply of able men, in places that wanted, they did not doubt but that her Majesty would take some speedy order concerning the same, according to whatsoever was

justly required, either in the aforesaid Petitions that had been read, or in the last mentioned Book and Bill, the reading whereof had been forbidden: of which also the said Mr. Vice-Chamberlain did affirm that he doubted not but that it would be done accordingly. *Vide* concerning this business on Saturday the 27th day of March following.

He also further moved that for the better and more speedy expedition of other great matters now in hand, this Court would be pleased to appoint to sit again at two of the Clock this Afternoon to give reading to a Bill but now lately finished, wherein provision was made for the safety and preservation of the Queens Majesties most Royal Person. Which he the rather desired, because he conceived that this House would very shortly be adjourned till after Christmas.

The Bill against fraudulent Conveyances was read the third time.

Post Meridiem.

In the Afternoon the before-mentioned Bill for provision to be made for safety of the Queens Majesties most Royal Person, and the quiet State of the Realm, was read the first time.

The Bill also for provision of maintenance for Ministers and Preachers in Towns Corporate, &c. was after the second reading and much dispute, put to the question, whether it should be committed; and upon the division of the House, the major part of the Voices fell out to be against the commitment. After which also upon another Question whether it should be ingrossed or no, the Bill it self was lastly upon another division of the House dashed.

The Bill lastly for Confirmation of Letters Patents made unto Mr. *Walter Rawleigh* was read the second time and committed unto Mr. Vice-Chamberlain, Mr. Secretary, Sir *Philip Sidney*, Sir *Francis Drake*, Sir *Richard Greenfield*, Sir *William Courtney*, Sir *William Mohun* and others.

On Tuesday the 15th day of December three Bills of no great moment had each of them one reading; of which the first being for the relief of the Creditors of *Edward Fisher* Esquire, was after the second reading committed unto Mr. Solicitor, Mr. *Morrice*, Mr. *Cromwell*, Mr. *John Fisher* and Mr. *Craddock*, who were appointed to meet at two of the Clock this Afternoon in *Lincolns-Inn-Hall*.

The Committees for Mr. *Rawleighs* Bill were appointed to meet presently in the Committee-Chamber of this House.

The Bill for the good Government of the City of *Westminster* was after the second reading, committed unto Sir *George Carie*, Mr. Recorder of *London*, Mr. *Thomas Knivet*, Mr. *Thomas Cecill* and others, who were appointed to meet this Afternoon in the open Exchequer-Court.

The Bill against Informers was brought in by Mr. Vice-Chamberlain one of the Committees, in the name of all the Committees, with allowance

of the same; only he further moved the reviving and continuing the former Act in that behalf made in the 18th year of her Majesties Reign.

The Bill for provision to be made for the surety of the Queens Majesties most Royal Person and the good estate of the Realm, was upon the second reading Ordered to be ingrossed.

The Bill for bringing in of Staple Fish and Ling was brought in again by Sir *Edward Dymock* one of the Committees, without any thing done in the same; for that the Committees could not in their meeting assent to any alteration of the same Bill.

The Bill against Jesuits, Seminary Priests, and such like disobedient persons, was upon the second reading ordered to be ingrossed.

On *Wednesday* the 16th day of *December* three Bills of no great moment had each of them one reading; of which the second being a new one touching Hue and Cry, was read the first time.

Mr *Asb* one of the Committees in the Bill for Swearing of Under-Sheriffs, in the name of himself and the residue of the same Committees brought in the old Bill, and also a new Bill framed by them, praying the reading thereof.

Mr *Treasurer*, one of the Committees in the Bill for disposing of Parsonages impropriate to charitable and pious uses, for himself and the residue of the same Committees brought in the old Bill, and also a new Bill praying the reading thereof.

The Bill for perfecting of Assurances was upon the second reading committed unto Mr *Solicitor*, Mr *Attorney of the Wards*, Mr *Sands* and others, and the Bill was delivered to Mr *Solicitor*, who with the rest was appointed to meet to morrow in the Afternoon in *Lincolns-Inn-Hall*.

After some Motions made touching the former Petitions exhibited and read in this House on *Monday* the 14th day of this instant *November* foregoing, which concerned the liberty of some Ministers, and the placing of others in places that wanted, many Arguments ensuing; but it was at last resolved upon the motion of Sir *Walter Mildmay* Chancellor of the Exchequer (who spake exceeding well touching this business) that some Committees should be appointed by the House to view over the said Petitions, and to reduce the contents of the same into some particular Heads or Articles, which being put in writing, might be imparted unto the Lords of the Upper House, and that request might thereupon be made to their Lordships to joyn with the House of Commons in such further course as should be thought meet. And thereupon divers Committees were chosen to consider of the said business accordingly, viz. Sir *Thomas Heneage*, Sir *Thomas Manners*, Mr *Rawleigh*, Mr *Solicitor*, Mr *George Cary*, Sir *Edward Dymock*, Sir *Robert Germin*, Sir *William Herbert*, Sir *John Higham*, Mr *Cromwell*, Mr *Doctor Hammond*, Mr *Doctor James* and Mr *Edward Lewkenor*, who were appointed to meet this Afternoon in the Exchequer-Cham-

ber for that purpose. *Vide plus* concerning this business on *Monday* the 21th day of this instant *December* following, and on *Thursday* the 25th of *February* ensuing.

After which the House conceiving the weight of this business required a greater number of Committees, did further nominate these following, viz. Mr *Attorney of the Wards*, Mr *Beale*, Mr *Candish*, Mr *Blage* the Master of the Requests, Mr *Wolley*, Mr *Doctor Fletcher*, Mr *Skinner*, Mr *William Stoughton*, Mr *Thomson*, Mr *Recorder*, Mr *Morrice*, Mr *Alford*, Sir *William Moore* and Mr *Wroth*, who were appointed to meet this Afternoon at the place aforelaid.

Two Bills, lastly, had each of them one reading; of which the second being the Bill for the continuation and explanation of certain Statutes, was read the first time.

On *Thursday* the 17th day of *December* the Bill for assurance of certain Lands of Sir *Thomas Lucy* and others was upon the second reading committed unto Mr *Digby*, Mr *Barker*, Mr *Cradock* and others, who were appointed to meet to morrow in the Middle Temple Hall.

The Bill for confirmation of Letters Patents granted unto Mr *Walter Rawleigh*, was brought in by the Committees not altered in any word; and upon motion for ingrossing, was after some Arguments upon the Question, ordered to be ingrossed.

Mr *Doctor Amberry* and Mr *Doctor Barkeley* did bring from the Lords two Bills; the one for the restitution in blood of the Lord *Thomas Howard*, and the other for the paving of *Newarke upon Trent*; with request from the Earl of *Rutland* unto Mr *Speaker* for expediting of the same Bill for the paving of *Newark upon Trent*.

The Bill against Jesuits, Seminary Priests, and such like disobedient Subjects, having upon the third reading passed the House, was sent up to the Lords by Mr *Treasurer*, Mr *Chancellor of the Exchequer* and others.

The Bill upon the reading passed the House with little or no Argument, except it were from one *Doctor Parry*, who in very violent terms spake directly against the whole Bill, affirming it to favour of Treasons, to be full of blood, danger, despair and terrour or dread to the English Subjects of this Realm, our Brethren, Uncles and Kinsfolks, and also full of Confiscations, but unto whom? Not, said he, to her Majesty, (which he wished they were) and said, he did not think the contrary, but that zeal would cause the Bill to have passage both in this House and with the Lords, but yet he hoped when it should come into her Highnesses most merciful hands, that it would stay and rest there; until which time (he said) he would reserve his reasons of his negative voice against the Bill, then to be discovered by him only unto her Majesty. Whereupon Dr. *Parry*, by Order of this House, was appointed to be sequestred into the outer Room of this House into the Serjeants Custody, and without conferring with any, whiles the matter now in question

question concerning his former Speeches against the Bill last passed is in debating or arguing, until he shall be called in again. And afterwards being brought to the Bar, and there kneeling upon his knee, he was told by Mr. Speaker in the name of the whole House, that if he thought good, the House was contented to hear him what reasons he could yield for himself in maintenance of his said Speeches against the aforesaid Bill to the better satisfaction of this House, or what other matter of excuse he could alledge touching his former contempt uttered in the presence of this said House in very unseemly manner, and in unfitting words, in that he did speak so directly, reproachfully and absolutely against a Bill first travelled in and publicly allowed of in the House, and then considerately and maturely perused and digested by so great and grave a Committee selected and framed out of the ablest Members of this House, who having further diligently and dutifully laboured therein, and brought it again into the House with one unanimous approbation of it as of a good and necessary Bill; and that, lastly, it had been also so approved of this day, and upon the third reading had passed the House; and yet that he the said Doctor *Parry* had termed the said Bill to be a Bill favouring of Treasons, and to be full of Confiscations, blood, danger, despair and terrour to the Subjects of this Realm; and withal that he would well prove and justify the same by good reasons. which nevertheless (he said) he would not deliver to this House; but would reserve them only to be revealed to her Majesty. Whereupon being further demanded, as aforesaid, what further excuse or defence he could make for himself, he answered, that what he had said (and bound it with a protestation) was without any intent of offence towards the Queens Majesty (to whom he owed all dutiful obedience) or towards the House; and made repetition of his said former words, and still avowed the justification of the same. And so entering into some declaration of his own estate tending altogether to his own credit, as of his sundry good Services done to her Majesty, his reputation with persons of good sort, and other such like Speeches in his own commendation, concluded in the end, that as before when he spake to the Bill, and gave his negative voice to the same, he then concealed his said reasons from this House, so he would now conceal the same still. Whereupon being sequestred again, it was resolved, That for that he did speak to the Bill and gave his negative voice so directly and undutifully, and in contempt of this House would not shew his reasons for the same, being merely against the ancient Orders and usage of this High Court, and not for that he said he would shew them only to be discovered to her Majesty, it was resolved, That he should be committed to the Serjeants Ward till the matter shall be further considered of by this House, the day being then very far spent. *Vide* concerning this matter on Friday the 18th day, Wednesday the 23. day,

and on Thursday the 24th day of this instant December following.

On Friday the 18th day of December the Bill touching Appeals out of the Ecclesiastical Court, was upon the second reading committed unto Mr. Treasurer, the Master of the Requests, Mr. Doctor *Hammond*, Mr. *Sands*, Mr. *Cromwell*, Mr. Doctor *Cousin*, Mr. *Barker*, Mr. *Flower*, Mr. *Wolley*, Mr. *Beale*; and the Bill was delivered to Mr. Treasurer, who with the rest was appointed to meet this Afternoon in the Exchequer-Chamber.

The Bill also for the restitution in blood of the Lord *Thomas Howard* had this day its first reading; and the Bill for confirmation of Letters Patents made unto *Walter Rawleigh* Esquire, was upon the third reading after many Arguments and a Proviso added unto it, passed upon the Question.

Sir *Christopher Hatton* Knight, her Majesties Vicechamberlain, declared unto the House, That her Majesty having heard of the great and dutiful care of this House in devising and providing of Laws for the preservation of her Majesties Royal Person, doth accept the same in most humble, loving and thankful part; and having thereupon inquired of the manner and parts of the same Laws, doth both very well like and allow of the same, and is also of her own most loving and merciful disposition pleased that all persons barred or disabled by force of the same Law, as it now is, shall be first called to answer and be heard what they can say in excuse of themselves, before they shall be prejudiced in their pretended Right or Titles. And also that her Majesty will take away the Proviso in that Law, by which any of these Subjects which have taken the Oath of Association, might any way hereafter by any possibility be touched in conscience. And then made a motion that a convenient Committee of the wise and grave Members of this House might be appointed to consider of the said former Bill already ingrossed, and so then to devise another to be conceived according to the purport of her Majesties Pleasure in that behalf, so as before is signified. Whereupon it was then resolved, that all the former Committees, and Mr *George Ireland* now added unto them, should meet together for that purpose this Afternoon in the Exchequer Chamber.

And further the said Mr Vice-Chamberlain also declared unto this House, that her Majesty having been made privy unto the mis-behaviour of Mr. Doctor *Parry* yesterday shewed in this House, and of the order of this House taken therein with him for the same, her Highness doth not only deem him to have given just cause of offence unto this House in the same his misdeemeanor, but also doth very well allow of the grave discretion of this House in forbearing for the time to use any sharp course of Correction against him for his said offence, in respect that he had said he reserved his reasons to be imparted to her Majesty only; which as he had discovered

vered unto some of the Lords of the Council by her Highnesses appointment, and that partly to the satisfaction of her Majesty, so her Highness did think that upon his humble submission unto this House with a dutiful acknowledgment of his fault, this House would the rather dispense with him therein.

Which done, Mr Doctor Parry was called to the Bar, where humbly acknowledging his fault upon his knees, it was told him by Mr Speaker, after he had put him in remembrance of the manner of his offence, that it might be the House would nevertheless deal favourably with him, if they should see such cause upon his unfeigned and earnest confession and repentance of his fault, and his humble submission unto the House with good and dutiful endeavour of amendment hereafter. And then kneeling upon his knee in very humble manner affirmed directly, that he had very undutifully misbehaved himself, and had rashly and unadvisedly uttered those Speeches he used, and was with all his heart very sorry for it; alledging withal that he had never been of this House before this Session, and so could not so well know the Orders of the House as he should do, and that he would not willingly offend this House nor any man in it, and so humbly prayed their good favour towards him.

Whereupon being sequestred again out of the House, it was after some Arguments and Speeches had, resolved, That upon that his said acknowledgment of his fault and his humble submission, he should be received into this House again as a Member of the same, and take his place as before, so that he would afterwards use himself in good sort as he ought to do. And thereupon being called again to the Bar, and there kneeling upon his knee, and directly reiterating his former confession of his fault, and also his former humble submission, protesting further that if ever after he should give any just cause of offence again to this House or any Member thereof, he would then never after crave any more favour of them.

Whereupon Mr Speaker declared the good pleasure of this House in remitting his said offence by receiving him again into them, with condition and hope of his better behaviour hereafter. Which as he professed and promised to perform accordingly, so did he in very good dutiful sort give most humble thanks unto God and to her Majesty, and also unto this whole House and every Member of the same, for their good, courteous and favourable dealing towards him in this behalf. *Vide Febrnary* the 18th and *February* the 24th *postea*.

On *Saturday* the 19th day of *December* four Bills of no great moment had each of them one reading; of which the second being the Bill touching the keeping of the great Sessions of the Peace and the Assizes for the Town of *Caernarvon* to be kept in the Town of *Caernarvon*, was read the third time. And the third being the Bill for restitution in blood of the Lord *Thomas*

Howard had this day its second and third reading. And three Bills thereupon were at this time sent up to the Lords by Mr Treasurer and others, which had not been delivered, because their Lordships were risen and departed before their coming. *Vide on December* the 14th last past, when two of them had been sent up.

A Motion was made in the House, that their Lordships might be sent unto, to know the reason of the new manner of indorsing their Bills. For whereas in former times all Bills sent down from the Lords to the House of Commons were ever indorsed in the lower part of the same Bills; contrary to the said accustomed use, the Bills which were lately sent down from their Lordships, were indorsed in the upper or higher part of the same, which the said Mr Treasurer and the rest at this time sent up to the Upper House with the afore said three Bills, did accordingly impart to their Lordships. *Vide plus de ista materia* on *Monday* the 21th day of this instant *December* following.

The Bill for Hue and Cry was read the second time during the absence of Mr Treasurer and the rest, as afore said.

The reading of which Bill being ended, Mr Treasurer and the residue returning from the Lords, brought word, that he the said Mr Treasurer imparted unto their Lordships the Request of this House for Conference with their Lordships both for the Bill touching the Sabbath (*de qua Billa vide* on *Wednesday* the 17th day of *March* ensuing) and also for the Petitions of the griefs of this House; unto both which the Lords said, they would by and by send their Answer. *Vide* concerning Petitions on *Thursday* the 25th day of *February* ensuing.

Mr Vice-Chamberlain declared unto this House, That her Majesty graciously considering the great pains and careful travel of this House in the Service and Affairs of the Realm, hath determined upon *Monday* next to adjourn the Court of Parliament until some other convenient time after *Christmas*, that such Gentlemen and other Members of this House may the more conveniently repair home to their houses in the mean time for their better ease and recreation. And so moved further, That (as before that time of Adjournment being upon *Monday* next) there can nothing of great moment possibly be prepared to passing; so he wished that the same short time may be employed in the speeding of such Bills as are nearest to the passing; and mentioned some of those which came unto us from the Lords, and that the residue may rest in the same case of furtherance in the mean time as now they are in.

Mr Serjeant Gaudy and Mr Doctor Ford did bring from the Lords again the Bill for the restitution in blood of the Lord *Thomas Howard* amended in the indorsement, *viz.* indorsed under the Bill, and the former indorsement above razed out.

The Bill for restitution in blood of the Lord *Thomas Howard* was sent up to the Lords by Mr Treasurer

Treasurer and others; and also the Bill for paying of the Town of *Newark* upon *Trent*, the Bill for the Town of *Caernarvon*, and the Bill for fraudulent Conveyances (all which came from their Lordships before not rightly indorsed) were sent up to their Lordships to have the same indorsements reformed and amended, as that in the Bill for the Lord *Thomas Howard* was before amended.

The Bill for the true answering of the Debts of *Edward Fisher* was read the first time. *Vide* on *Monday* the 22. day of *February* ensuing.

Mr *Richard Lewkenor* (one of the Committees in the Bill to avoid partial Juries and Tryals) in the name of himself and the residue of the same Committees brought in the old Bill, and also a new Bill, praying that the same new Bill may be read accordingly.

The Bill for reformation of Errours in Fines and Common Recoveries in the twelve Shires of *Wales*, was upon the second reading committed unto Mr Solicitor, Sir *William Herbert*, Mr *Penruddock*, Mr *David Williams* and others, who were appointed to meet upon *Thursday* next in the Afternoon in *Lincolns-Inn-Hall*. After which the Bill for continuance and explanation of divers Statutes, had its second reading.

Mr Serjeant *Gawdy* and Mr Doctor *Barkeley* did bring from the Lords the Bill touching the Sabbath day, with Message from their Lordships, that they can find by no Precedent that they can now add any thing at all (upon our Conference) to their former Additions inserted into the said Bill, and do think withal, that those things we desire are already provided for in their said Additions as the Bill now standeth; and do therefore pray, that being so good a Bill as this is, they will have care it do not miscarry; and so departed. Whereupon it was then thought good to reserve the Bill, in state as it was, till it may be further considered of by view of the Precedents of this House in like cases. And Sir *Thomas Heneage*, Mr Solicitor, Mr Recorder, Sir *William Moore*, Mr *Cromwell*, and Mr *Sandes* were appointed to search the Precedents of this House for that purpose in the mean time of the next sitting of this Court after the said Adjournment. *Vide plus de ista materia* on *Wednesday* the 17th day of *February* ensuing.

The Bill for the preservation of Grain was ordered upon the Question to be discontinued; and divers others of no great moment, as touching Ecclesiastical Livings, Maintenance of the Navy, and the like, were continued until the end of this Adjournment, which was now drawing on on *Monday* next, being the 21th day of *December*. And the Committees appointed for the continuance of them were these following, viz. Mr Vice-Chamberlain, Mr Chancellor of the Exchequer, Sir *Thomas Heneage*, Sir *Thomas Cecil*, Sir *William Moore*, Mr Solicitor, Mr Lieutenant of the Tower, Sir *Richard Knightley*, Mr *Francis Hastings*, Sir *Nicholas Woodroffe*, Mr *Dannet*, Mr *Haymond*, Mr *Cromwell*, Mr *Owen*,

Mr *Rawleigh*, Mr *Gr for*, Sir *Francis Drake*, Mr Doctor *Hammond*, Mr *Wolley*, Mr *Grice*, Sir *Henry Nevill*, Sir *John Peter*, Sir *William Drury*, Sir *Robert Constable*, Sir *Robert Germin*, Sir *Henry Cock*, who were appointed to meet on *Thursday* after *Christmas-day* in the Afternoon at two of the Clock at *Ely* place.

After Mr Vice-Chamberlain's late former Speeches delivered unto this House of her Majesties good and grateful acceptation of the earnest and dutiful care and proceedings of this House in providing for the safety of her most Royal Person, and of her Highnesses said most loving and favourable regard of adjourning this Court of Parliament for some such convenient time, as during which the greater part of the Members of this House may at their pleasure repair home to their dwellings, as well for their better recreations and ease, as for their further dealing in their own private affairs; it was moved by Mr. Speaker, That some due form or course of yielding unto her Majesty most humble and dutiful thanks for the same her said Highnesses most honourable and gracious acceptation and consideration, in the name and behalf of this whole House, in most loyal, humble, dutiful and obedient manner, may be considered of and devised. Whereupon after a few Speeches resolved and prayed, that the same should and might be done most fitly and conveniently by those honourable Personages Members of this House, which are of her Majesties most honourable Privy Council, who being then present, did very willingly and honourably undertake to execute the same most faithfully and effectually.

On *Monday* the 21th day of *December* three Bills of no great moment had each of them one reading; of which the first being the Bill for the true payment of the Debts of *Edward Fisher* Esquire, was after the second reading committed to the former Committees, (who were appointed on *Tuesday* the 15th day of this instant *December* foregoing) and Mr. Recorder was added unto them. *Vide February* the 22th *Monday* *postea*.

The second of the said Bills being for Hue and Cry, was brought in again by the Committees somewhat amended; and the amendments being twice read, the Bill with the said amendments was ordered to be ingrossed, and the third Bill touching Under-Sheriffs had its first reading.

Mr. Solicitor and Mr. Recorder were added to the former Committees for Sir *Thomas Lucy's* Bill.

Sir *George Cary*, one of the Committees in the Bill for the good Government of the City of *Westminster*, in the name of himself and the residue of the Committees, brought in the Bill with some amendments.

Mr. Treasurer declared that he and the residue of this House which are of her Majesties Privy-Council, did yesterday according to the charge of this House laid upon them recommend unto her Majesty the most humble, dutiful and loyal thanks of this House for her Highnesses good opinion

nion conceived of this whole House, and her loving and thankful acceptance of their Service; which as (he said) her Majesty did take in most loving and good part, so did he refer her Highness's further Answer therein to the report of Mr Vice-Chamberlain, being charged by her Majesty to deliver the same Speeches unto this House from her Highness.

Whereupon Sir *Christopher Hatton* Knight her Majesties Vice-Chamberlain standing up did very eloquently and very earnestly set forth her Majesties most Princely, gracious and kind acceptance of the humble and most dutiful thankfulness of this House so presented unto her Highness, to her right great and high satisfaction, joy and comfort; and declared withal that her Highness did for the same give most hearty and loving thanks unto this whole House, yea and that in redoubling to them their thanks ten thousand thousand fold; and so further very excellently, amply and aptly shewed both the ready, careful and obedient affections of this whole House to the dutiful service of her Majesty, and also on the other side her Highness incomparable Princely accompt and regard of all such loyal, loving and faithful Subjects; and concluded, that her Majesties pleasure was, that this House should well know, that in the consideration of the free course of the Gospel of Jesus Christ amongst us, our long continued Peace and plenty of Gods good Blessings and Benefits bestowed upon us under the Ministry of her Highness, her Majesty doth most sincerely ascribe all the same only and wholly to the great goodness and mercy of Almighty God, attributing the cause of these good effects (next under Gods Providence) to the good demerits of so religious, godly and obedient Subjects, of whom how well and kindly her Majesty doth think and conceive, her Highness had much rather have told them in her own most Royal Person, than have signified it unto them by any other, if it might have conveniently been so done, as upon the opportunity of a Prorogation or Dissolution of this Court. And further declared, that her Majesty having regard to the great charges and expences of their attendance in the service of this great Council of the Realm, wisheth them at their next meeting again to bestow the time as much as may be in publick and general Actions fittest for the Common-Weal of this Realm, and that with as little loss of time as may be. And withal, that those of this House towards the Law would join together to do their best endeavours to devise some good Laws to abridge and cut off the long tedious courses and extreame chargeable Circuits and superfluous delays of Suits in Law; not doubting but that in so doing God will bless their Wealth and good Estates, both in themselves and in their Posterity. And so having, as he thought, dutifully imparted unto them the sum and substance of her Majesties Pleasure and Message committed unto this House by him, though not in such effectual and singular kind terms and forms as her Princely

Wisdom delivered the same unto him; and so referring himself to the residue of this House of her Majesties Council then and now present to be put in remembrance by them, if he have omitted any part thereof, and they affirming he had not, he ended his Speech.

Mr Doctor *Ford* and Mr Doctor *Barkeley*, did bring from the Lords the Bills amended in the indorsement, which before were sent from this House unto them for that purpose, after they had been first sent unto this House from their Lordships.

Nota, That on *Saturday* the 19th day of *December* last past the House of Commons taking exceptions at this last mentioned matter about indorsing of Bills in the upper parts of them, whereas it ought to be done at the nether and lower part, the Lords did very respectfully both then and now take away their said grievance by the alteration of the indorsements aforesaid according to the usual and ancient form.

Mr. Treasurer touching the Petitions and grievances of this House drawn into some certainty of convenient particularities to be then afterwards moved by them unto the Lords by way of Petition, and request unto their Lordships in the name of this whole House to join with this House in the considerations of the said Petitions and grievances, and to exhibite unto her Majesty the humble suit of this House in that behalf, shewed, that he and the residue of the Committees according to the charge of this House unto them, have sundry times met together and set down in writing such particular Contents of the said Petitions and griefs as they resolved to impart unto the Lords. And further, that having moved their Lordships already in the matter, they have received Answer, that when their Lordships have further considered and conferred thereof amongst themselves, they will then send for the said Committees of this House to receive their Lordships Answer therein. *Vide* concerning this business on *Thursday* the 25th day of *February* ensuing.

Word was brought to Mr. Speaker by the Serjeant of this House, that one at the Door was come from the higher House to require that the Committees of this House do presently repair unto their Lordships; which done and signified unto this House by Mr. Speaker, the said Committees went up presently unto their Lordships accordingly.

Mr. Solicitor touching the returns of some Knights returned into this present Parliament, and for some doubts and questions arising in this House upon the same, and afterwards by this House referred unto him and Mr Recorder of *London* for making of search of the returns of the Writs and Indentures thereof, shewed, that they can only find the cause of this question to arise upon the Election of Mr. *Bevill* and Mr. *Darlington* to be Knights for the County of *Huntington*, which they are the rather confident of, because none others attended them or came unto them

them in this matter but only the said Elected Knights, who, as those also who opposed them, brought their Counsel on both sides, and were fully heard what they could say: After which also Mr. Recorder and himself desiring fully to inquire into this matter, had conferred and devised therein with the Clerk of the Crown-Office in the *Chancery*, and comparing those Records together with some of the Statutes Ordained in those Cases, they do find such difference in them tending to matter of effect, and to be Answered by the Sheriff if there be cause, and not for any matter in their opinions for this House to deal with, whereby to cassate or make void the said Election as they take it. And yet because that resteth now chiefly upon matter of Precedents to see further how this House may decide this cause, he declared, that Mr. Recorder and he will make further search of the Precedents in like Cases with the Clerk of the higher House for that purpose, and then further to advertise this House as cause shall require. *Vide* concerning this matter on *Tuesday* the 8th day, and on *Saturday* the 12th day of this instant *December* foregoing.

The Bill for the preservation of the Haven of *Plymouth*, was upon the second reading committed unto Sir *Francis Drake*, Mr *Wroth*, Mr. *Edgcombe* and others, who were appointed to meet the third day of the next sitting of this Court in *Lincolns-Inn Hall* in the Afternoon of the same day.

A new Bill that Parsonages impropriate may be disposed to godly and charitable uses, was read the first time.

Mr. Solicitor touching the excessive number of penal Laws in force, very intolerable to the Subjects, neither possible to be kept, and yet not any put in Execution, as that for Apparel in King *H. 8.* his time and such like, moved that a Committee be had of some selected Members of this House learned in the Laws to make a view of the same Laws against the next sitting of this Court after the Adjournment of the same, to the end that this House may then thereupon proceed to some course of diminishing the great number of the same, as upon due considerations in that behalf to be had shall be further thought meet and convenient. And thereupon were named and chosen for that purpose all the Privy-Council being of this House, Mr. Solicitor, Mr. Recorder of *London*, Mr. *Morrice*, Mr. *Sandes*, Mr. Attorney of the Wards and others, who were appointed to meet on *Wednesday* before the next Term in the Afternoon in *Lincolns-Inn Hall*.

The Bill for paving of the Town of *Newark* upon *Trent*, after the third reading, passed upon the question.

Mr. Treasurer and the residue of the Committees returning from the Lords he declared, that they have received some Answer from their Lordships upon the Conference, and referred the report thereof to Mr. Chancellor of the Exchequer,

as unto whom the same was by their said Lordships appointed to be delivered over unto this House. Whereupon

Mr. Chancellor of the Exchequer declared, that their Lordships had caused the said Notes in writing to be read in the House, and their Lordships found the said grievances to concern but some particular Countries and not the whole Realm, to wit, the Countries only of *Warwick*, *Lincoln* and *Essex*, and therefore might be considered to be reformed in time by some other convenient means: But being Answered by the Committees of this House, that albeit there were Petitions in writing exhibited but for these three Counties, yet by Motions and Speeches in the House it well appeared to be the grief of the whole Realm. Which their Lordships having understood did feelingly express how sensible they were of it, and how truly they did join with us of the House of Commons in wishing the reformation thereof, and were now ready to aid us with their best assistances therein as erst in the two last former Sessions of Parliament they had done, at both which times her Majesty had thereupon Commanded some of the Lords of the Clergy to take care and consideration of the same causes, wherein as little or nothing hath been done for ease or redress of the same, so their Lordships of the Upper House (not minding to impute the fault thereof to any, and yet remembring withal that their Lordships were present when her Majesty by the Mouth of the Lord Chancellor did give Commandment unto Mr. Speaker not to deal in the House of Commons with matters concerning Religion or the Church without her Highness pleasure first known, and therefore do also take the same Commandment to extend as well to their Lordships as to this House) have resolved that those of the Lords which are of her Majesties Privy-Council do first move her Highness to know her Majesties Pleasure therein before they proceed any further in the matter.

The Lord Chief Justice of *England*, the Lord Chief Justice of the Common-Pleas, the Lord Chief Baron of the Exchequer and the Master of the Rolls being sent down from the Lords to the House of Commons and admitted into the said House, the said Lord Chief Justice having in his hand a Commission under the Great Seal of *England* declared unto Mr. Speaker that her Majesty having given Authority by Commission under the Great Seal of *England* unto divers of my Lords the Bishops, Earls and Barons of the Upper House to Adjourn this Parliament unto the 4th day of *February* next coming the said Lords Commissioners have Adjourned the same in the Upper House, and their Lordships have thereupon also sent them to this House to signify the same Adjournment over unto this House, that the Knights, Citizens and Burgeses and Barons of this House may likewise take notice of the same Adjournment accordingly. Which thing was also after their departure out of this House

declared unto this House by Mr. Speaker. And so thereupon this Court by Warrant and in form aforesaid, was adjourned unto the said 4th day of *February* next coming.

Which done, Mr Vice-Chamberlain standing up and putting the House in remembrance of her Majesties most Princely and loving kindneses signified unto this House in the former Messages and Declarations of her Highneses thankful acceptations of the dutiful cares and travails of this House in the Service of her Majesty and the Realm, moved the House, that besides the rendering of our most humble and Loyal thanks unto her Highness, we do, being assembled, altogether joyn our hearts and minds together in most humble and earnest prayer unto Almighty God for the long continuance of the most prosperous preservation of her Majesty, with most due and thankful acknowledgment of his infinite benefits and blessings poured upon this whole Realm through the mediation of her Highneses Ministry under him. And he said, he had a Paper in writing in his hand devised and set down by an honest, godly and learned man, and which, albeit it was not very well written, yet he would willingly read it as well as he could, if it pleased them to follow and say after him, as he should begin and say before them. Which being assented unto most willingly of all the whole House, and every one kneeling upon his knees, the said Mr Vice-Chamberlain begun the said prayer. Which being ended, every one departed away for that time, until the said day of Adjournment.

Nota, That the aforesaid Commission did bear date this present 21th day of *December*, and that this Parliament was adjourned by it from the said day unto the 4th day of *February* ensuing, which was for the space of forty four days; at the end of which said days either House met again according to their usual and accustomed manner as followeth, (*viz.*)

On *Thursday* the 4th day of *February* (to which day the Parliament had been on *Monday* the 21th day of *December* foregoing last adjourned) either House assembled together without all manner of Pomp or Solemnity, as at other ordinary and usual times, and so fell to the reading of such Bills, and treating of such other businesses as did remain unfinished upon their last Adjournment.

The first work which the House of Commons entred upon this morning after Prayers, was the reading of some Bills not yet passed in their last Meeting, being four in number, whereof the last being the Bill for following of Hue and Cry, was upon the third reading committed unto Sir *Henry Cock*, Mr *Morrice*, Mr *Wroth*, Mr *Sandes*, Mr *Conisby*, and others; and the Bill was delivered to Mr *Sandes*, but neither the place or time of their meeting are set down.

On *Friday* the 5th day of *February* the Bill for confirmation of her Majesties Letters Patents granted to the Queens Colledge in *Oxford* was twice read, and thereupon committed unto Mr

Sandes, Mr *Mills*, Mr *Wade*, and others, (and the Bill was delivered to Mr *Sandes*) who were appointed to meet to morrow in the Afternoon in the Middle Temple Hall.

After which four other Bills of no great moment had each of them one reading; of which the last being the Bill for explanation of the Statute lately made for the maintenance of *Rocheſter* Bridge, was upon the second reading committed unto Sir *Philip Sidney*, Mr *Wotton*, Mr *Diggs*, and others, and the Bill was delivered to Mr *Wotton*, who with the rest was appointed to meet to morrow in the Afternoon in the Middle Temple Hall.

It was agreed upon the Motion of Mr Speaker that the House should be called to morrow morning.

On *Saturday* the 6th day of *February* two Bills after the third reading passed upon the Question; of which the last was the Bill that Parsonages impropriate may be disposed to godly and charitable uses.

The Bill for the Hue and Cry was delivered in again by the Committees with an addition of amendment to the same in paper; which addition being twice read, was ordered to be ingrossed and added to the same Bill.

On *Monday* the 8th day of *February* three Bills of no great moment had each of them one reading; of which the last being the Bill to provide remedy against fraudulent Conveyances was after the second reading put to the Question, whether it should be committed or no; and the Voices for the No appearing upon the division of the House to be 156, and the Voices for the Yea to be but 140, was ordered not to be committed.

The addition to the Bill for Hue and Cry being ingrossed, was read the third time, whereupon it passed upon the Question.

On *Tuesday* the 9th day of *February* the Committees in the Bill for the Staple Fish were appointed to meet upon *Friday* next in the Middle Temple Hall.

The Committees also in the Bill for Shoo-makers were appointed to meet on *Saturday* next at the Guild-hall in the Afternoon, and Mr *Wotton* and Mr *Harries* of *Lincolns-Inn* were added unto them.

Four Bills of no great moment had each of them one reading; of which the last being the Bill for repairing and maintenance of Sea-banks and Sea-works on the Sea-coasts in the County of *Norfolk* was upon the second reading committed unto Sir *William Dymock*, Sir *Robert Germin*, Sir *Drew Drury* and others, and the Bill was delivered to Sir *Drew Drury*, who with the rest was appointed to meet upon *Friday* next in the Afternoon in the Middle Temple Hall.

The Bill for following of Hue and Cry, the Bill for Swearing of Under-Sheriffs, and the Bill that Parsonages impropriate may be disposed to godly and charitable uses, were sent up to the Lords by Mr. Treasurer, Mr. Vice-Chamberlain and others.

Mr. *Lewkenor*, one of the Committees for *Rochester* Bridge and the *Glas-houses*, brought in the Bill touching *Rochester* Bridge with some amendments; which Bill being then read again, and the amendments being twice read, it was ordered to be ingrossed.

A new Bill also concerning *Glas-houses* was delivered in by the said Mr. *Lewkenor* with some alterations and amendments.

Another Bill also of no great moment concerning the dying of *Woollen Clothes*, was upon the second reading committed.

On *Wednesday* the 10th day of *February* six Bills of no great moment had each of them one reading; of which the last being the Bill touching *Collectors of Issues by Juries*, was read the third time, and upon the Question was committed to the present consideration for a Proviso unto Mr. Chancellor of the Exchequer, Mr. *Cromwell*, Mr. *Sands*, and others, to confer presently in the Treasury-Chamber.

Upon a Motion this day made touching the opinion of this House for Priviledge in a case of *Subpœna* out of the Chancery, served upon *Richard Cook* Esquire a Member of this House, returned a Burgess to this present Parliament for the Borough of *Linnington* in the County of *Southampton*, It was ordered, That Mr. Recorder of *London*, Mr. *Sands* and Mr. *Cromwell* attended on by the Serjeant of this House, shall presently repair in the Name of the whole House into the Body of the Court of Chancery, and there to signifie unto the Lord Chancellor and the Master of the Rolls, that by the ancient Liberties of this House the Members of the same are priviledged from being served with *Subpœna's*; and to require withal not only the discharge of the said Mr. *Cook* his appearance before them upon the said *Subpœna*, but also to desire that from henceforth upon like cases the said Lord Chancellor and Master of the Rolls will allow the like Priviledges for other Members of this House to be signified unto them in writing under Mr. Speakers hand. *Vide de ista materia in die sequenti.*

It was Ordered, That Mr. *Anthony Kirle* of the Middle Temple shall be warned by the Serjeant of this House to morrow in the Afternoon (sitting the Court) to answer unto such matters as shall be then and there objected against him by this House on the behalf of *Alban Stepneth* Esquire, being a Member of this House, returned a Burgess into the same for the Town of *Haverford West*. *Vide plus de ista materia* on the day next ensuing.

On *Thursday* the 11th day of *February* the Bill against partial Juries and Tryals, was upon the second reading ordered to be ingrossed.

Mr. Recorder of *London*, Mr. *Cromwell*, and Mr. *Sands* being returned from the Chancery, did declare unto the House, that they have been in Chancery within the Court, and there were very gently and courteously heard in the delivery of the Message and charge of this House committed unto them, and were answered by

the Lord Chancellor, that he thought this House had no such liberty of Priviledge for *Subpœna's*, as they pretended, neither would he allow of any Precedents of this House committed unto them formerly used in that behalf, unless this House could also prove the same to have been likewise thereupon allowed and ratified also by the Precedents in the said Court of Chancery. And after some other Speeches and Arguments, the said Mr. *Sands* and Mr. *Cromwell* were further appointed to search the Precedents of this House against to morrow, that thereupon this House may enter into further Consideration of the state of the Liberties and Priviledges of this House accordingly. *Vide plus* concerning this matter amongst the passages of the day foregoing.

Three Bills of no great moment had each of them one reading; of which the last being the Bill to avoid partial Tryals and Juries, was read the third time, and passed upon the Question.

Mr. *Roger Erith* Esquire, one of the Burgesses for the Borough of *Wilton* in the County of *Wilts* being sick, was upon a Motion made to this House, licensed to depart into the Country for the better recovery of his health.

Upon a Motion made by Mr. Recorder, that those of this House towards the Law, being the most part of them at the Bars in her Majesties Courts attending their Clients Causes, and neglecting the Service of this House, be called by the Serjeant to repair unto this House presently, and to give their attendance in the service of the same, It was Ordered, That the Serjeant of this House do forthwith repair unto all the said Courts, and there give notice and charge from this House, that all those of this House that are in any the same Courts, or at any of the Bars of the same Courts, shall presently make their repair unto this House, and give their attendance here. And the said Serjeant being sent shortly after, many of them came into this House upon the said Commandment accordingly. After which said Motion the Bill touching *Collectors of Issues* lost by Juries, was passed upon the Question, without allowance of any Proviso from the Clerks of the Extracts in the Exchequer.

Upon a Motion made by Sir *William Herbert*, that Mr. Recorder of *London* who erst made a Motion to this House, That those of the Law being Members of this House, and then attending at the Bars in the Courts in the Hall, might be sent for to give their attendance here in this House, being now since their coming in gone out of the House himself, and as he was informed, was presently pleading at the Common Pleas Bar, to the great abuse of this whole House, might be forthwith sent for by the Serjeant to answer his said contempt; It was Ordered, That the Serjeant of this House do forthwith go to the said Common Pleas Bar, and charge the said Mr. Recorder to make his present repair unto this House for his attendance, but not to answer to any contempt.

The Bill touching the Water-Bailiff was read the first time.

Five other Bills of no great moment had each of them their last reading, and were sent up to the Lords by Mr. Treasurer and others; of which the last was the Bill of Explanation and Addition unto the former Statute for maintenance of *Rocheſter* Bridge.

Mr. *Anthony Kirle* was brought to the Bar by the Serjeant of this Houſe, and charged by Mr. Speaker in the Name of this whole Houſe with a Contempt to this Houſe, for that he had ſerved *Alban Stepneth* Eſquire, being a Member of this Houſe (returned into the ſame a Burgeſs for the Town of *Haverford Weſt*) with a *Subpœna* out of the Star-Chamber in the Parliament time, and within the Palace of *Weſtminſter*, as the ſaid Mr. *Stepneth* was coming to this Houſe to give his attendance there, and further afterwards procured an Attachment out of the ſaid Court againſt him, to the great hinderance and impediment of the ſaid Mr. *Stepneth* his ſervice and attendance in this Houſe, and alſo to his great coſt and charge. To which he answered, True it was he ſerved a *Subpœna* upon the ſaid Mr. *Stepneth* in a Cauſe of Suit, not then knowing him to be a Member of this Houſe, and afterwards underſtanding that the ſaid Mr. *Stepneth* made default of his appearance upon the ſaid *Subpœna*, and that four or five days after the return of the Writ he made an *Affidavit* in the ſaid Court of the ſerving of the ſaid *Subpœna*, and ſo obtained an Attachment againſt the ſaid Mr. *Stepneth*; at which time he was told by one of the Attornies of that Court, that the ſaid Mr. *Stepneth* was a Member of this Houſe; alledging that before that time he knew him not to be of this Houſe, and did then alſo forbear to cauſe the ſaid Attachment to be executed upon him: In doing whereof if he have given cauſe of offence or contempt unto this Houſe, as he had done the ſame ignorantly, ſo did he (he ſaid) humbly ſubmit himſelf therein to the good and favourable Conſideration of this Houſe. Which done, he was ſequeſtered out of the Houſe.

And then after ſundry Motions had in the ſame matter, and by ſome of which it appeared that the ſaid Mr. *Stepneth* had with payment of Money to Mr. *Kirle*'s Attorney redeemed his liberty from being arreſted by the ſaid Attachment; It was at laſt reſolved by this Houſe, That the ſaid Mr. *Kirle* had committed a great contempt to this whole Houſe, and the Liberties and Priviledges of the ſame, both in ſerving the ſaid *Subpœna* upon the ſaid Mr. *Stepneth*, and alſo in procuring the ſaid Attachment againſt him, and in all the reſidue of the parts of the ſaid Suit from the time of ſerving the ſaid *Subpœna* thitherto. And thereupon ordered and adjudged by this Houſe, That the ſaid *Anthony Kirle* ſhall for his ſaid contempt be committed Priſoner to the Serjeants Ward and Cuſtody, there to remain during the pleaſure of this Houſe, and ſhall alſo ſatiffie and pay unto the ſaid Mr. *Stepneth* as

well all ſuch his Coſts and Charges and Expences by him expended in and about the ſame Suit as ſhall be ſet down and agreed upon by Mr. *Morrice* and Mr. *Miles Sandes*, who were for that purpoſe appointed by this Houſe to confer with the ſaid Mr. *Stepneth*, and to examine thoſe Charges; as alſo all other Charges which the ſaid Mr. *Stepneth* hath been at, or defrayed unto the ſaid Serjeant in or about the arreſting which ſhould have been executed upon him by virtue of the foreſaid Attachment out of the ſaid Star-Chamber at the Suit of the ſaid Mr. *Kirle*.

After which the ſaid Mr. *Anthony Kirle* was brought again to the Bar, and there kneeling upon his knees, was asked by Mr. Speaker, whether he had received of Mr. *Stepneth* any Money for the Charges of the ſaid Attachment? He answered he had not, but his Attorney had. And being asked, whether his Attorney did receive it to his uſe or no? He ſaid his Attorney did allow it to him in the payment for the Copy of Mr. *Stepneth* his Answer. And then Mr. Speaker pronounced unto him the ſaid Judgment in form aforeſaid in the Name of this whole Houſe. After the pronouncing whereof he humbly beſought this Houſe of their favourable goodneſs to grant him liberty to follow ſome Cauſes of his own, and alſo ſome other of his Clients; but it was denied him, and ſo he was had away by the Serjeant. And after his departure upon ſome motions, that Conſideration might be had of his Clients Cauſes, the Term now continuing but one day more, it was referred to Mr. Speaker's liberty to let him follow his own Cauſes and his Clients with his Keeper attending upon him. *Vide principium hujus materiæ die præcedente, & vide conſumilem caſum in Parlamento de Anno 31 Regiæ Eliz. on Friday the 12th day of February.*

On Friday the 12th day of February five Bills were had in agitation in the Houſe, whereof two concerning the Government of the City of *Weſtminſter* and the aſſurance of Sir *Thomas Lucy* were brought into the Houſe by the ſeveral Committees of them with Proviſo's and Amendments added unto them, which they did humbly offer to the Conſideration of the Houſe; and the other three of no great moment had two of them one reading apiece, and the third two readings, which was the Bill for the good Government of the City of *Weſtminſter*, viz. the body of the Bill had one reading, and the Amendments two, and then it was ordered to be ingroſſed upon the Queſtion.

One of the ſaid three Bills laſt mentioned to have been read was a new Bill brought into the Houſe for the true answering of the Debts of *Edward Fiſher* Eſquire; after the firſt reading whereof upon a Motion made concerning it, it was Ordered, that the ſaid *Edward Fiſher* ſhould be ſent to by the Serjeant of this Houſe to warn him to be in this Houſe himſelf upon Monday next, if it pleaſe him to procure himſelf a Writ for that purpoſe, or elſe that his Council be then there for him to ſhew cauſe, if he have any, why
this

this House should not proceed to the expediting and passing of the same. *Vide plus de ista materia* on Monday the 15th day of this instant February following.

On Saturday the 13th day of February, the Bill touching the breadth of Woollen-Cloths was upon the second reading committed unto Mr. Vice-Chamberlain, Mr. Treasurer, Mr. Chancellor of the Exchequer, Sir Thomas Heneage, Sir John Peeter and others, and the Bill was delivered to Mr. Treasurer, who with the rest was appointed to meet on Monday next in the Afternoon in the Parliament Chamber or Pension Chamber of the *Middle-Temple*.

Mr Recorder of London, Mr Morrice and Mr Penruddock, were appointed to hear and examine the State and manner of the serving of Process upon any the Members of this House from time to time during this Session as occasion thereof shall fall out, and after such information and intelligences thereof then further to impart the same to this House as occasion shall serve for further resolution.

Three Bills of no great moment had each of them one reading; of which the second being the Bill for Explanation of the Statute of 21 H. 8. touching Pluralities of Benefices, &c. was upon the second reading committed unto Sir Drew Drewry, Sir Robert Germin, Sir Richard Knightley, Mr Recorder of London and others, who were appointed to meet upon Tuesday next in the Afternoon in the *Middle-Temple* Hall.

A Proviso to the Bill concerning certain assurances of Sir Thomas Lucy and others, was twice read and Ordered to be ingrossed.

Mr Morrice, Mr Atkins and Mr Alford, were added to the former Committees to meet this Afternoon in the *Middle-Temple* Hall to hear Mr Arnold and his Council touching the said Bill and Proviso.

The Amendments in the Bill against Glas-Houses and Glas-making was twice read and Ordered to be (with the Bill) ingrossed.

On Monday the 15th day of February, Mr William Stoughton offered unto this House a certain supplication in Parchment of certain abuses in the Ministry within the County of Leicester, and also a note of certain Articles in Paper concerning some disorders in the Bishops Ministry; and also Mr Edward Lewkenor offered another Petition in Parchment touching the abuses in the Ministry in the behalf of the Inhabitants in the East part of the County of *Suffex*. All which by Order of the House were read. And then also was read another like Petition in Paper for the Inhabitants of the Parish of *Holkstone* in the County of *Kent*, which was before the last Adjournment of this Court offered unto this House by Mr John Moore; and after sundry Speeches and Motions had touching the said Petitions, Mr Chancellor of the Exchequer putting the House in mind of the like Petitions in effect offered unto this House in the sitting before the last Adjournment, and imparted to the Lords by a Com-

mittee of this House, with humble Suit unto their Lordships to be a mean therein to her Majesty, desired them that they would now forbear any further to deal with these Petitions, until this House have first received Answer from the Lords of the said others; alledging further, that he had very lately put some of their Lordships in remembrance thereof on the behalf of this House; and that he was Answered, we should hear from their Lordships to Morrow next touching their Answer of the same Petitions. Whereupon it was then thought good by this whole House to expect their Lordships said Answer therein till then accordingly. *Vide* concerning Petitions on Thursday the 25th day of February ensuing.

The Committees in the Bills for Actions upon the Case for perfecting of Assurances, and for Fines and Recoveries in the twelve Shires of *Wales*, were appointed to meet to Morrow in the Afternoon in *Lincolns-Inn* Hall.

Upon a Motion made by Mr Edward Lewkenor, that some of this House may be appointed to draw a Form of Prayer and Thanksgiving to be used in this House for the great benefits and blessings of God bestowed upon this whole Realm in her Majesty, and for the long continuance of the same, especially in this time of Consultation this day appointed to be had and prosecuted in making of Laws for the preservation and safety of her Majesties most Royal Person; It was agreed, That the said Mr. Lewkenor himself should take such of this House to him as he should think good, and devise and digest the same form of prayer and thanksgiving accordingly.

The Master of the Rolls and the Lord Chief Baron did bring word from the Lords, that their Lordships do desire present Conference with some of this House in a matter of great importance, and that their Lordships have appointed of themselves seventeen. Whereupon were Chosen presently thirty four of this House, *viz.* Mr Treasurer, Mr Comptroller, Mr Chancellor of the Exchequer, the Lord Russell, Sir Thomas Heneage, Mr Solicitor, Mr Beale, Mr Wolley, Sir Robert Germin, Sir John Higham, Mr Doctor James, Sir Richard Knightley, Sir George Carey, Mr Edward Lewkenor, Sir Henry Cock, Sir William Moore, Mr Edward Barker, Mr Bruncker the Master of the Requests, Mr George Greenfield, Sir Edward Dymock, Mr Skinner, Mr Attorney of the Wards, Sir William Mallory, Mr Strickland, Mr David Williams, Mr Harris, Mr Henry Barkley, Sir Thomas Shirley, Mr Robert Bowes, Mr Recorder of London, Mr Morrice, Mr William Knolles, Mr Faunshaw, Sir Drew Drury, Mr Oughtred, Mr George Digby, and Mr. Cheek, who repaired then presently to the Lords accordingly.

Mr. Telverton being of the Learned Council of one of the Creditors of Edward Fisher Esquire, and coming into this House for him, and also some of the Creditors of the said Edward Fisher being likewise present in this House at the Bar, the

the Bill had in their presence its second reading; and further Order was then given that they be here again to Morrow in the Morning at the first sitting of this Court. *Vide* concerning this matter on Monday the 22th day of February ensuing.

Three Bills of no great moment had each of them one reading; of which the last being the Bill concerning the assurances of Sir Thomas Lucie and others (the Proviso of it having been once read) had it self the third reading, and passed upon the question with the foresaid Proviso.

The last former Committees returning from the Lords, Mr. Chancellor of the Exchequer one of the said Committees declared unto the House, that they attended the Lords in the Upper House according to the direction of this House to them in that behalf given, and that they found the Lords not to want many of that number which was signified unto this House from them; and withal that there were likewise almost as many of the Committees of this House as were by this House appointed for that purpose. And that the Lord Treasurer being the chiefest of the Committees of the Lords, shewed unto the said Committees of this House, that their Lordships of the Upper House being of such quality and calling as they are known to be, are one Member of the Parliament; And also that the Knights, Citizens and Burgesses of this House representing the whole Commons of this Realm are also another Member of the same Parliament, and her Majesty the Head; And that of these three Estates doth consist the whole Body of the Parliament able to make Laws. And that none of the said two Houses without the other can in any wise make Laws. And withal, that therefore of ancient Courtesie and Custom, both the same Houses have used mutual Conference each with other in matters of doubt happening amongst them from time to time in making and establishing of Laws, and that yet notwithstanding their Lordships have heard by Speeches abroad, not out of this House (for they are not to take knowledge of any thing in this House) that a Bill to provide remedy against fraudulent Conveyances passed with their Lordships, and lately sent down from them to this House, was upon a second reading thereof in this House denied to receive a Committee, whereof their Lordships do greatly marvel and think it very strange not having known the like course used in this House before, especially the Bill being so good and necessary for the Common-Wealth, and so specially recommended from their Lordships to this House, both at the first sending down thereof to this House, and thence. And being (as their Lordships are informed) upon the reading thereof the first time nothing spoken unto at all, and now lately at the second reading thereof argued unto both with the Bill and against the Bill by sundry on both sides learned in the Laws and of good account and discretion otherwise, which doth

greatly import the Bill very much to deserve Conference without all contradiction. And further declaring that the said Bill was very well favoured and liked of her Majesty, yea in so much that her Highness used to call it her own Bill, that it was framed and drawn by her Highness learned Council, very maturely and advisedly digested in the Upper House with the privacy and assistance of the Judges there attending, considered of also in a Committee amongst their Lordships themselves, and with very great deliberation passed also with them, and as before specially recommended unto this House from them; moved in Conclusion, that this House would have such further consideration for proceeding in some convenient course in the said Bill by Conference or otherwise, as may in good discretion seem requisite. And not doubting, but as their Lordships think many of this House have mistaken and misconceived some part of the said Bill, so their Lordships upon Conference had (they doubt not) will resolve and satisfy them in the same. And therefore they desire to be advertised of the Answer of this House therein as soon as may be conveniently. *Vide de ista materia in die sequenti.*

On Tuesday the 16th day of February a Motion was made for Mr. Kirles releasment from his Imprisonment, and thereupon he was brought into this House, and kneeling upon his Knees, making very humble submission unto this House and acknowledging his fault, alledging it also to have proceeded of ignorance and not of wilfulness, and likewise having paid to the Serjeant of this House, to Mr. Stepnet's, use three pound six shillings eight pence, set down by Mr. Morrice and Mr. Sands according to the former Order of this House, was discharged paying his Fees, after he had first taken the Oath of Supremacy. *Vide* concerning this matter on Wednesday the 10th day, and on Thursday the 11th day of this instant February foregoing.

Upon a Motion made by Mr. Doctor James, that a Member of this House yesterday having given great offence unto this whole House in charging this whole House generally with matter of accusation in those things which they do offer and prefer unto this House only by way of Petitions and Motions for redress of certain griefs in dutiful and convenient manner, may not so go away with those undecent forms of Speech, but be further called to Question for the same.

Mr. Atkins was thereupon Licensed by the House to interpret his said Speeches in his place without being Commanded to the Bar, who in very humble sort declared his intention, was very sorry for his over-sight, craved their good opinions and submitted himself to the good satisfaction of this House.

Five Bills of no great moment had each of them one reading; of which the last being against Moor-burning, did upon the third reading pass the House, and was with two more of the said

saïd Bills, and two other Bills formerly passed (the one for confirmation of her Majesties Letters Patents granted to the Queens Colledge in *Oxford*) sent up unto the Lords by Mr. Treasurer and others, with Commission also given them to attend their Lordships Answer to this House for the Petitions of this House exhibited unto them.

Mr. *Nicholas Hare* being one of the Committees in the Bill for repairing and amending of the Sea-Banks and Sea-Works upon the Sea-Coasts in the County of *Norfolk* brought in the old Bill, and also a new Bill, which new Bill had its first reading.

Mr. Treasurer and the residue returning from the Lords, Mr. Treasurer declared, That according to the appointment of this House they had moved the Lords touching their Lordships Answer to the Petitions of this House, and that thereupon their Lordships sequestering the Committees of this House in the outer Chamber, did soon after send them word by the Master of the Rolls and the Lord Chief Baron, That when their Lordships shall first have received an Answer from this House unto them touching their Motion yesterday of the Consideration of this House to be had touching the Bill against fraudulent Conveyances, their Lordships would then make Answer unto this House of the saïd Petitions; and willed further to know the Answer of this House touching the saïd Bill to morrow in the morning. *Vide* concerning this business on *Thursday* the 25th day of this instant *February* following.

After the foresaïd Speech of Mr. Treasurer Sir *Walter Mildmay* Chancellor of the Exchequer stood up, and having recited the summ of it, did further put the House in mind, that the Lords did look for Answer touching the saïd Bill to morrow, and therefore advising to consider of it presently, shewed for his part his opinion touching the state of the saïd Bill in fort as it is now, to be no further by this House dealt in but one of these two ways, to wit, either at the next reading thereof, being the third time of reading it, without any manner of addition or other alteration whatsoever to put it to the question for passing, or else leaving it as it now is, to begin a new Bill in this House for the purpose of redress against frauds in such manner as this House should think fittest. And so after sundry other Speeches and Arguments had in the saïd matter, the time being very far spent, it was deferred to be further considered of and spoken to again to morrow. *Vide* touching this business on the day immediately foregoing.

For that the Warden of the Fleet attending at the door of this House with *Edward Fisher* Esquire cannot now for lack of time bring in the saïd *Fisher* to make his appearance, further day was given him to be here again to morrow in the morning. *Vide* concerning this business on *Monday* the 22th day of this instant *February* ensuing.

On *Wednesday* the 17th day of *February* the

Committees in the Bill concerning Staple Fish were appointed to meet in the open Exchequer-Court at two of the Clock this Afternoon.

The Committees also for Shoemakers and Curriers and Clothiers were appointed to meet in the Middle Temple Hall this Afternoon.

Mr. *Morrice* brought in the old Bill against vicious life and idleness, and brought in two new Bills made and drawn out of some of the Contents of the old.

The Committees in the Bill for breadth of Clothes were appointed to meet this Afternoon in the Exchequer-Chamber.

Three Bills also of no great moment had each of them one reading; of which the last being the Bill for the furtherance of Justice, was upon the second reading ordered to be ingrossed.

The Warden of the Fleet brought *Edward Fisher* Esquire to the Bar and some of the Creditors, with Mr. *Yelverton* being of Counsel with the Creditors; the saïd *Edward Fisher* was heard at large what he could say against the Bill exhibited to this House for order of payment of his Creditors; and at last being sequestred out of the House two several times, while the house did consider of sundry his frivolous requests made unto them, and of his dilatory devices and shifting answers, did at the last give his full and plain consent unto this house, as well of his instance and request unto this house mentioned in the Preamble of the saïd Bill for passing of the same, as also any thing this house should think good in their own discretions to add in the saïd Bill for the passing of the same, to authorize the Commissioners to deal also with the Bishop of *Coventry* and *Litchfield* for Composition of a Rent-charge of 82 *l.* 10 *s.* distrainable upon all the Lands of the saïd *Edward Fisher*. The saïd Warden of the Fleet was then commanded to take away the saïd *Edward Fisher*, and Mr. *Sands* and Mr. *Morrice* were appointed to amend the saïd Bill in that part against to morrow, and the Bill to be ingrossed. *Vide* concerning this matter on *Monday* the 22th day of *February* ensuing.

On *Thursday* the 18th day of *February* five Bills of no great moment had each of them one reading; of which the first being a Bill for preservation of the Bridges in the Town of *Redding*, was read the first time.

Sir *William Moore*, one of the Committees in the Bill against dying with Sumach, brought in the same Bill again as a frivolous Bill utterly unfit to remain in this house.

Sir *Edward Dymock*, one of the Committees in the Bill for bringing in of Staple Fish, Ling, and Herings, brought in the old Bill and also a new Bill agreed upon and made by the saïd Committees.

Mr. Chancellor of the Exchequer taking occasion to put this house in remembrance of some consideration to be had by this house of the Bill to provide remedy against fraudulent Conveyances passed with the Lords and brought from them

to this House, did the last day saving one treat and debate till the rising of the same House, without any resolution therein then had; and shewing his own opinion therein divided his Speech into three parts, first to consider what this House hath already done touching the said Bill, then what this House may do in the same, and lastly what is most convenient for this House to do further in the same. Shewing that what is done already in the said Bill in this House, is this (as he taketh it) *viz.* That the Bill first passing the Lords and brought down hither was twice orderly read in this House, and upon the second reading thereof was likewise orderly argued unto in this House both against the Bill and with the Bill, very gravely and learnedly on both sides for to have the same Bill committed to further consideration, which for his part he could well have liked it should have so been; yet because this House thought good it should not be committed, and denied to have it committed, he thinks this House hath done therein very orderly without any Error, because it seemed good to this House so to do. And that albeit many times Committings and Conferences be very necessary between both the Houses, yet it is at the liberty of each of the same Houses whether they will admit any such or no, and so no error in that which is done. And that the said Bill as it now standeth is a Bill that may have a third reading (in this House as he thinketh) if this House shall so thing good. And is of mind that this House may Here it seemeth Mr *Fulk Onslow* at this time Clerk of the House of Commons, intending to supply the residue of this said Speech and of other Arguments and Disputations had and passed in this matter, did leave a blank of near upon a side and a half; but whether through negligence or forgetfulness this (as divers other places) was never perfected.

But what the resolution of the House at the end of the said Arguments was, may probably be gathered out of other Passages this very day concerning the same business, *viz.* That they would justify their former Proceedings in not committing the said Bill concerning fraudulent Conveyances sent down unto them from the Lords to have been justly, discreetly and orderly resolved on in the House, where the manner and form of the said Bill was and is utterly disliked, and that therefore the said House of Commons would speedily frame a new Bill to the same effect.

Vide concerning this business on *Monday* the 15th day and on *Tuesday* the 16th day of this instant *February* foregoing.

Mr Serjeant *Rodes* and Mr Doctor *Carey* did bring down from the Lords to the House of Commons three Bills; of which one was concerning the Lord *Dacres* and the Lord *Norris*, the second concerning the relief of the Hospital of *Eastbridge* in *Canterbury*, and the third concerning the Explanation of a former Statute touching Tellors and Receivors made *Anno 13 Reginae*

Eliz. of which said three Bills the Original Journal-Book of the Upper House mentioneth only the two latter to have been sent down as aforesaid, and as it seemeth omitted the first.

The foresaid Mr Serjeant *Rodes* and Mr Doctor *Carey* brought also a Message from the Lords for present Conference with some of the House of Commons touching the Bill of Jesuits lately passed the said House. Whereupon these Committees following were appointed to repair presently unto their Lordships accordingly, *viz.* Mr. Comptroller, Mr. Vice-Chamberlain, Mr. Treasurer of the Chamber, Mr. Chancellor of the Exchequer, Mr. Solicitor, Sir *Philip Sidney*, Mr. Recorder of *London*, Mr. *Beale*, Mr. *Topcliff*, Sir *John Higham*, Mr. *Howard*, Mr. *Morrice*, Sir *William Herbert*, Sir *Henry Nevill*, Sir *William Moore*, Mr. *Fulk Grevill*, Mr. *Wolley* and Mr. *Sands*.

And before the going of the said Committees it was resolved by this House, that they should further signify unto their Lordships that this House hath resolved, that as touching the late Proceeding of this House in the Bill to provide remedy against fraudulent Conveyances sent unto this House from their Lordships, This House hath in all parts and points of their dealing therein proceeded discreetly, gravely and orderly, according to the Liberties of this House, without any errors of this House, or cause of offence by them given to their Lordships. And that as this House very well liketh that fraud be met with and prevented, though not in such manner and form as in the said Bill was devised; so they do purpose to frame a Bill in this House for the same effect in such sort as to this House shall be thought good. And lastly should move their Lordships for Answer of the Petitions, if it might so please their Lordships. *Vide* concerning these Petitions on *Thursday* the second day of this instant *February* ensuing.

Upon a Motion made by Mr *Diggs* that Doctor *Parry* a late unworthy Member of this House and now Prisoner in the *Tower*, in his late submission to this House upon his former contempts was reconciled, with condition (at his now request) of his good behaviour afterwards, and hath since so misbehaved himself as deserveth his said Imprisonment in the *Tower*; It was resolved by this House, that he be disabled to be any longer a Member of this House, that a Warrant be made to the Clerk of the Crown Office for a Writ to be directed to the Sheriff of *Kent* for chusing and returning into this present Parliament another Burgess for the Borough of *Queenborough*, in lieu and stead of the said Doctor *Parry*. Which promise of his future amendment *Vide* on *Friday* the 18th day of *December* foregoing.

Five Bills of no great moment had each of them one reading; of which the second being the Bill of *Plymouth-Haven* was upon the second reading committed again to the former Committees, and Mr *Grafton* was added unto them, and the

the Bill was delivered to Mr *Wroth*, who with the rest was appointed to meet in the *Middle-Temple*, Hall to morrow in the afternoon.

The Committees returning from the Lords, Mr Vice-Chamberlain here it seemeth that Mr *Fulk Onslow* at this time Clerk of the House of Commons intending to supply the residue of this speech, did leave a blank of two half sides at the least for that purpose, but very negligently omitting to supply it, hath left those two great businesses of the Petitions and the not committing of the said Bill of fraudulent Conveyances upon the second reading sent down from the Lords to the House of Commons, (of which said matters see before in the passages of this very day) altogether naked and undetermined, which might else have served for great use and good precedent for the priviledges of the said House.

But yet it may be probably conjectured out of the ensuing passages of some other days, what the Lords did answer to these foresaid Petitions, of which said answer Mr Vice-Chamberlain made report, *viz.* That for the Petitions in which the House of Commons desired their Lordships to joyn with them, they would yet defer their resolution till a further time; And for the committing of their said Bill concerning fraudulent Conveyances sent down from them upon the second reading thereof, they did not altogether disallow the defence and justification which the said House of Commons had made for and concerning their proceeding therein by the said Committees; As also that they should frame a new Bill to the same purpose. And it is most likely that their Lordships did well approve of that Message sent by the foresaid Committees concerning the framing of a new Bill for the prevention of the foresaid frauds, because immediately upon Mr Vice-Chamberlain's Speech ended, a special Committee was appointed by the House upon Mr Speakers motion for that purpose, *prout sequitur.*

Mr. Speaker, after Mr. Vice-Chamberlain had (as it seemeth) ended his Speech, moved the House to appoint a Committee for the framing of a new Bill against fraudulent Conveyances. Whereupon the said House named these following, *viz.* all the Privy Council, Mr. *Cradock*, Mr. Solicitor, Mr. *Sands*, Mr. Attorney of the Court of Wards, Mr. *Morrice*, Mr. *Owen*, Mr. *Diggs*, Mr. *Harris*, Mr. *Faunshaw*, Mr. *Beaumont* and Mr. Recorder of *London*. The old Bill that came from the Lords was delivered to Mr. Vice-Chamberlain, and all these were appointed to meet to morrow in the afternoon in the Exchequer Chamber to draw a Bill to the same purpose instead of the said former Bill.

Mr. Solicitor one of the Committees in the Bill for reformation of Errors in the twelve Shires of *Wales* brought in the old Bill and also a new Bill for that purpose.

Upon a motion for reading of the Bill of Tythes, Mr Speaker shewed forth the Bill brought

into the House in so many several pieces, some written on both sides of the paper and so sowed one upon another in the midst of some of the leaves that it cannot be read or known how to be read, or taken in the right places for the reading. Whereupon it was again to be better written, and ordered that every part thereof should be rightly placed by the Committees.

On *Friday* the 19th day of *February* six Bills of no great moment had each of them one reading; of which one of them being a new Bill for the bringing in of Staple Fish and Herring had its first reading; and another being the sixth and last (*viz.*) for the continuance and explanation of certain Statutes had its first reading, and a Proviso offered to the same Bill was once read, and another Proviso also offered and the same once read, and a saving also offered to the same was once read. *Quod nota.*

Upon a motion read by Mr *George Moore* touching some provision to be made against Libellers, these Committees following were appointed to consider thereof, (*viz.*) Mr *George Moore*, Mr *Grafton*, Mr *Thomson*, Mr *Skinner*, Mr *Edmund Saunders*, Mr *Cradock*, Mr *Crew*, Mr *Nicholas Hare* and Mr *John Hare*, and to meet to morrow in the Afternoon in the *Middle-Temple-Hall* for that purpose.

An addition to the Bill for the true answering of the debts of *Edward Fisher* Esquire made by order of this House by certain Committees appointed for the same, was twice read and ordered to be ingrossed. *Vide* concerning this matter on *Munday* the 22th day of this *February* ensuing.

On *Saturday* the 20th day of *February*, Three Bills of no great moment had each of them one reading; of which the second being the Bill for the maintenance of the Hospital of *Eastbridge* in *Canterbury* was upon the second reading committed unto Mr Chancellor of the Exchequer, Mr Recorder of *London*, Mr *Morrice* and others, and the Bill was delivered to the said Mr Chancellor of the Exchequer, who with the rest was appointed to meet on *Tuesday* next being the 23th day of this instant *February* ensuing, in the Exchequer Chamber in the Afternoon.

The Bill for the true payment of Tythes was brought in again by Mr *Sands* one of the Committees better and more plainly reformed and amended than it was last delivered in by Sir *John Peter*.

The Bill exhibited by the Curriers which was not yet read, was appointed to be delivered to the former Committees, and they then to resolve whether the same Bill shall be read in this House or no, who were appointed to meet on *Munday* next in the Afternoon in the *Inner-Temple Hall*.

The Bill for *Plymouth-Haven* was brought in again with a Proviso.

Mr Chancellor of the Exchequer and others, having presently been in the Committee Chamber of this House to consider of the State of the Bill touching the Sabbath day, shewed, that by

the precedents of this House, this House may add to the Lords former additions to the said Bill; and further also, that this House may without all doubt make a Proviso to the same Bill if this House shall so think good. But having recited two special Precedents of this House meeting with the very points of this Bill, wisheth therefore in respect of the maintenance and preservation of the liberties of this House, that this House do in all convenient and seemly sort stand to the Liberty and Choice of this House to add to their Lordships additions, and not otherwise at all. *Vide* concerning this business on *Wednesday* the 17th day of *March* ensuing.

Three Bills of no great moment had each of them one reading; of which the last being the Bill for furtherance of Justice was read the third time and passed upon the Question.

Two Bills of no great moment were sent down from the Lords to the House of Commons by Serjeant *Rodes* and Mr *Powle*; whereof one was for establishing of a Jointure to the Countess of *Huntington*.

On *Munday* the 22. day of *February* five Bills of no great moment had each of them one reading; of which the last being the Bill for the true payment of the debts of *Edward Fisher Esq*; was read the third time and passed the House, and the word or Figures xxviii. put instead of the word or Figures xxiii. in sundry places of the said Bill, were read three times before the passing of the same as aforesaid. *Vide* concerning this matter on *Friday* the 12th day, *Munday* the 15th day, *Tuesday* the 16th day, *Thursday* the 18th day, *Friday* the 19th day of this instant *February* foregoing.

This aforesaid Bill with two others of no great moment that had formerly passed this House, were sent up to the Lords by Mr *Treasurer* and others the Committees for Conference touching the Bill for better observation of the Sabbath day, and the Committees also for the petitions, with order from this House to move their Lordships presently in both these Causes accordingly. *Vide* concerning the Bill for the Sabbath on *Wednesday* the 17th day of *March* ensuing.

Mr *Serjeant Rodes* and Mr *Doctor Ford* did before the sending up of the former Bills to their Lordships bring down from them to the House of Commons two Bills; the one touching the disposing of Parsonages Improprate before passed in this House with some amendments, and the other for the preservation of Grain and Game.

Nota, That the Journal of the Upper House agreeth with this Journal of the House of Commons, that the last of these two Bills concerning the preservation of Grain and Game, was at this time sent down from the Lords to the House of Commons, but differeth in the form; which Bill touching Parsonages Improprate is there set down to have been sent to the said House of Commons on *Saturday* the 28th day of *February*; and at this time another Bill concerning Moor-burning in the Counties of *Northumber-*

land, &c. to have been sent down with the aforesaid Bill concerning Grain and Game, &c.

The Bill for confirmation of Errors in Fines and Recoveries in the 12. shires of *Wales* was read the second time.

The Bill concerning Insufficient Justices, Sheriffs, &c. in *Wales* was read the first time, and committed to the former Committees in the last former Bill, and Mr *Recorder*, Mr *Attorney* of the Wards and Mr *Harris* were added unto them, and the Bill was delivered to Mr *Attorney*, who with the rest was appointed to meet this Afternoon in *Lincolns-Inn Hall*.

Mr *Treasurer* and the residue returning from the Lords, Mr *Treasurer* declared, that according to the appointment of this House they have dealt with the Lords both as touching the Bill for the better observation of the Sabbath day, and also for their Lordships answer to the Petitions; and shewing unto their Lordships that by Warrant of the Precedents of this House, this House might very well make additions unto their Lordships additions in the same Bill, wherewith (as he thought) their Lordships seemed somewhat satisfied; so touching their Lordships answer to the said Petitions he said, That it so much passed his Capacity to conceive and understand all the effect of it, as that he would not undertake upon him to make a report of it, but would leave it to such other of the said Committees as could both better remember it and deliver it.

Whereupon Mr *Chancellor* of the Exchequer affirming Mr *Treasurer* his former speech touching their said proceedings for the said Bill of the Sabbath, shewed further, that as concerning their said motion for their Lordships answer to the said Petitions, Their Lordships Sequestering the Committees of this House into the outer Chamber, there came shortly after unto them the Lord *Treasurer* and the Lord Archbishop of *Canterbury*; The said Lord *Treasurer* declaring first unto them the answer of the Lords to the said Petitions in general, and afterwards the said Lord Archbishop shewing the same in particular having a certain note in his hand for his remembrance, but uttering much more in his Speech; which he said was so long and consisted of so many parts, as he thought for his own part he could not sufficiently signify unto this House: And did therefore make a motion that those of the Committees which were also then present thereat, might meet this Afternoon in the Exchequer Chamber, and helping each other's memory set down the substance and effect of the said answer in all the parts thereof as near as they can; and so then afterwards to signify the same unto this House to morrow. Which was thereupon so agreed and resolved accordingly. *Vide* touching these Petitions on *Thursday* the 25th day of this instant *February* following.

The Bill concerning the Lord *Dacres* and the Lord *Norris* was read the third time, and thereupon passed the House.

On *Tuesday* the 23. day of *February* Two Bills
of

of no great moment had each of them one reading; of which the last being the Bill for the true Answering of Tythes, &c. had its first reading.

Upon a Motion begun by Sir *Thomas Lucy* and continued by Sir *Thomas Moore*, that those of this House which are of her Majesties Privy-Council may in the name of this whole House be humble Suitors unto her Majesty, that for as much as that villanous Traitor *Parry* was a Member of this House in the time of some of his most horrible and traiterous Conspiracies and attempts against her Majesties most Royal Person (whom Almighty God long preserve) her Majesty would vouchsafe to give Licence to this House, for that many of this House are of the Fellowship of the Association, to proceed to the devising and making of some Law for his Execution after his Conviction, as may be thought fittest for his so extraordinary and most horrible kind of Treason: It was resolved that those of this House being of her Majesties most honourable Privy-Council and now present at this Motion, to wit Mr. Treasurer and Mr. Vice-Chamberlain, shall exhibite the same humble Suit of this House unto her Majesty accordingly at their convenient opportunity.

A Proviso was added to the Bill for *Plymouth-Haven*; and was twice read and Ordered with the Bill to be ingrossed.

Mr *Cromwell* was added to the former Committees for Priviledges, and touching serving of Proceſs upon the Members of this House and their Servants.

Mr *John North* Knight for *Cambridgeshire*, was added to the former Committees for reviving of Statutes, and the same Bill with the three Provisoes before read were again committed to the same Committees and to the same Mr *North*, together with the Bill touching Cables, Halters and Ropes.

Sir *Edward Dymock* being Sheriff of the County of *Lincoln*, was Licensed by this House to depart into the Country for the service of her Majesty in the charge of his said Office.

Nota, That Sir *Edward Dymock* here being Sheriff of *Lincolnshire* was also a Member of the House of Commons and continued in the service of it without interruption or question a great part of this Parliament, and now upon the Licence of this House departed into the Country about some necessary occasions concerning his said Office. *Vide* concerning this matter on *Friday* the 4th day of *December* foregoing.

A like Precedent also there was in *Anno* 31 *Reginæ Eliz.* on *Friday* the 21th day of *February*. *Quod vide*.

The Bill for the Jointure of the Countess of *Huntingdon* was twice read and passed upon the Question.

The new Bills last passed were sent up to the Lords by Mr Treasurer, Mr Vice-Chamberlain and others, with Commission also to put their Lordships in remembrance touching their search

for Precedents with the Clerk of the Upper House alledged by the Committees of this House for Warrant of this House in proceeding with the Bill for the better observation of the Sabbath day by additions of this House to be added unto their Lordships former Additions in the same Bill. *Vide* concerning this matter on *Thursday* the 25th day of this instant *February* ensuing.

It should seem (though it be not expressly set down in the Original Journal-Book) that the House did this day fall into consultation and consideration of all the dangers which were imminent over the Kingdom, of the means to prevent them, and of the great expences her Majesty had been at in the defence of her Dominions and Allies fit to be supplied; which is set down at the end of this day in manner and form following.

The open dangers threatned to this Kingdom are from *Spain*, the Pope and the holy League in *France*; the secret from the Jesuits, that secretly lurked here to stir up her Majesties Subjects of the Roman Religion to all manner of Treason and Rebellion: Both which dangers though the time of them were a while intermitted in respect of the Execution, yet the purpose was not, which their late Conspiracies and attempts both here and in *Ireland* did plainly shew.

The means to prevent these dangers were to suppress the spreading of Jesuits and the growing of Popery, to exact such Oaths of the Papists as had been already Ordained, to provide for the preservation of her Majesties Person, to terrifie *Ireland*, and to provide sufficient Forces at home both by Land and Sea.

The great expence that her Majesty had been at even since the last Parliament did appear plainly in respect of divers places and Forts which had been repaired, much Powder and Munition had been stored up, and her Navy also since that time increased: besides many other extraordinary Charges and Expences which she had been at in the assisting of her Allies and the preserving of *Ireland*, and that her Majesty did specially shun danger from *Ireland*, of which they conceived this Proverb to be true, Look to *Ireland* if we will rest quiet in *England*. And therefore (it seemeth) some of the Privy-Council did move to think of what supply were now fit to be given to her Majesty towards the supporting and sustaining of all her said great Expences and Charges.

On *Wednesday* the 24th day of *February*, Three Bills of no great moment had each of them one reading; of which the last being the Bill for imploying of Lands and Tenements given to the maintenance of High-ways, Bridges, &c. was read the second time, and committed unto Mr *Wroth*, Mr. *Sandes*, Mr. *Cradock* and others, and the Bill was delivered to Mr. *Sands*, who with the rest was appointed to meet this Afternoon in the *Middle-Temple Hall*.

Mr. *John North* and Mr. *Heile* were added to the former Committees for continuance of Statutes;

tutes; the Bill and Provisoës, and also the Bill for Cables, Halters and Ropes were delivered to Mr. Vice-Chamberlain, who with the rest was to meet in the Exchequer Chamber this Afternoon.

Mr. Attorney of the Court of Wards, one of the Committees in the Bill for *Jonas Scot*, brought in the Bill again into the Court.

It seemeth that some of the Privy-Council or others moved this day for consideration to be had in what measure and manner they should supply her Majesty by Subsidy; And it seemeth that the House did thereupon further assent unto it. All which is very negligently omitted by Mr. *Fulk Onslow* at this time Clerk of the House of Commons; for there is only set down the names of the Committees in manner and form following, *viz.* All the Privy-Council being Members of this House, the Lord *Russell*, Sir *Philip Sidney*, Sir *Thomas Heneage*, Mr. Solicitor, Sir *William Moore*, Sir *Robert Germin*, Sir *George Carie*, Sir *Henry Nevill*, Mr. *George Rotheram*, Mr. *Sandes*, Sir *William Mohun*, Sir *Robert Bowes*, Mr. *John North*, Sir *Walter Rawleigh*, Mr. *Trenchard*, Mr. *Ralph Evers*, Sir *John Tracy*, Mr. *Bevill*, Sir *Henry Cock*, Sir *Thomas Cecill*, Sir *Francis Hastings*, Mr. *Mollineux*, Mr. *Wroth*, Mr. *William Herbert*, Sir *Thomas Manners*, Sir *Drew Drewry*, Mr. *Digby*, Mr. *Edward Audeley*, Mr. *Leveson*, Mr. Attorney of the Wards, Mr. *Henry Barkley*, Sir *Thomas Shirley*, Mr. *Anthony Mildmay*, Mr. *Henry Talbot*, Mr. *Russell*, Sir *Thomas Lucie*, all the Knights for *Wales*, Sir *Nicholas Woodroose*, Mr. Recorder, Mr. *Robinson*, Mr. *Laver* and Mr. *Wolley*, who were appointed to meet this Afternoon in the Exchequer Chamber for the Subsidy.

At the nominating of this Committee (as it seemeth) the whole Treasons plotted between *Henry Nevill* and Doctor *Parry* according to their own Confessions were related, where these fragmentary particulars only (through the Clerks negligence) are set down to this or the like purpose following, *viz.*

That the said Doctor *Parry* having behaved himself unreverently and disorderly in the House of Commons, upon revealing his mind to her Majesty which he denied to do there, had been pardoned both by her Majesty and the House, as see on *Thursday* the 17th day of *December*, and on *Friday* the 18th day of the same Month, as also on *Thursday* the 18th day, and on *Tuesday* the 23th day of this instant *February* foregoing. And since upon discovery of fouler matters had been Imprisoned and disabled from being a Member of this House.

That the said *Nevill* and he had had divers Conferences and Projects for the advancement of the King of *Spains* Conquest of *England*, from whose Wars the said *Nevill* having served in them had lately returned poor into *England*.

That the said *Parry* and *Nevill* had amongst other things Plotted to go into the North, there to raise Rebellion or to take the Island in *Kent*,

or to sell *Barmick*, or lastly to Murther her Majesty.

That they had read together Doctor *Allens* Seditious Book concerning the Deposition and Murthering of Heretical Princes (as he styles them.)

That they had sworn together mutual Secrecy, with divers other matters partly agreed upon between the said *Nevill* and *Parry* in their Confessions, and partly confessed by either of them singly and deemed by the other.

To which purpose Sir *Christopher Hatton* Vice-Chamberlain made a very exact and Elaborate Speech, of which there are only some short heads or notes set down in the Original Journal-Book, much to the purpose following, *viz.*

That the said *Nevill* and *Parry* had resolved either to Murther her Majesty in her Garden at *St James's*, or else to set upon her whilst she should be in her Coach in the Fields, each of them having for their assistance five or six men with Pistols.

That *Nevill* began first to be touched with remorse of Conscience, and notwithstanding his Oath of Secrecy did threaten *Parry*, that except he would desist from his said intended Treason he would reveal it.

That the said *Nevill* thereupon departing from the said *Parry*, upon his next meeting again with him continued with him in the same mind, and still refused to join with him in the Execution of their former Complotted Treason, and that shortly after *Parries* Commitment and Imprisonment he had discovered it.

That the said *Parrey* in the Year 1580. having been Pardoned by the Queen after a Capital offence committed by him, departed with Licence into *France*, where being reconciled to the Roman Church he travelled to *Venice*, and there having been diversly and severally instructed and encouraged by *Benedict Palmes* a Jesuit, by *Campio* the Popes Nuntio there; and lastly again afterwards at *Paris* in *France*, by one *Morgan* an Agent of the Queen of *Scots*; here upon the Encouragement of Cardinal *Como* and the Pope himself, he returned into *England* with a mind full of Treason and Disloyalty, with divers other things in the like purpose. which are at large set down in *Annal. Regin. Eliz. conscript. à Guiliel. Cambden Edit. Latine Lugd. Bat. Anno Domini 1625. à pag. 391. ad pag. 395.*

Vide concerning this matter on *Thursday* the 17th day, and on *Friday* the 18th day of *December* foregoing; as also on *Thursday* the 18th day, and on *Tuesday* the 23th day of this instant *February* last past.

On *Thursday* the 25th day of *February*, Three Bills of no great moment had each of them one reading; of which the last being a Bill for repairing of Sea-Banks and Sea-Works, was upon the second reading Ordered to be ingrossed.

The Articles for two Fifteenths and Tenths, and one entire Subsidy granted to her Majesty, were brought in by Mr. Chancellor of the Exchequer,

chequer, and read in the House, and appointed to be delivered by Mr Speaker to her Majesties Learned Council to draw the Bill for the same.

Sir Francis Knolles Knight, Treasurer of her Majesties Household, declared this day unto the House their Lordships Answer touching the Petition so often before mentioned, in which the House of Commons had desired their Lordships to join with them.

But what these Petitions were, is by the negligence of Fulk Onslow Esquire, at this time Clerk of the House of Commons wholly omitted, not only here, but in all other places of this present Journal where they are often before mentioned, as may appear by the enumeration of the several days proceeding that concern them at the end of this Animadversion, although they might be in part collected out of those fragmentary Answers (which are likewise very imperfectly set down) which were reported by the foresaid Mr Treasurer to have been delivered to the Committees of the House of Commons by the Archbishop of York, and are found in the said Original Journal Book it self. But in respect the matters contained in the said Petitions were of great weight and well worthy to be left entire to Posterity (that so the zealous care of the Commons at this time may not die in silence) I have caused them to be transcribed wholly and exactly in this place of this present Journal out of a very good Copy of them I had by me, by the help whereof also the Archbishops Answer to all the several Articles or Petitions aforesaid (which were in number sixteen) may be the better understood. But before the inserting of the said Petitions it shall not be amiss to make reference unto the several days on which they were mentioned. *Vide* therefore on Monday the 14th day, on Tuesday the 16th day, and on Monday the 21th day of December foregoing; As also on Monday the 15th day, Tuesday the 16th, Thursday the 18th, and Monday the 22th, and now lastly on this present Thursday the 25th day of this instant February. And now follow the said Petitions out of the foresaid Copy of them I had by me, before which was prefixed this Title following.

The humble Petitions of the Commons of the Lower House of Parliament to be offered to the consideration of the Right Honourable the Lords Spiritual and Temporal of the Higher House.

1. **W**Here by a Statute made the thirteenth of her Majesties Reign it was Enacted. That none should be made a Minister unless he be able to Answer and render to the Ordinary an account of his Faith in Latine, according to certain Articles set forth in a Synod holden Anno 1562. and mentioned in the said Statute, or have special gift and ability to be a Preacher; It may please their honourable Lordships to consider whether it were meet to be Or-

dained, that so many as have been taken into the Ministry since the making of this Statute; and be not qualified according to the true meaning and intent of the same, be within a competent time Suspended from the Ministry and Execution of any Function thereto appertaining, unless they shall be found of that ability which the Statute requireth.

2. That where in a Synod holden 1575. It was provided that unlearned Ministers heretofore made by any Bishops should not from thenceforth be admitted to any Cure or special Function, it may also like their Lordships to advise whether so many as have been since that time admitted contrary to the form of that Article, shall be within a competent time removed; And that for better Explanation of that Article such be taken for unlearned, as be not qualified according to the Statute before-recited, and provision made for the due Execution of that Article so declared for ever hereafter.

3. Where also in that great and weighty charge which in the Book containing the form of Ordering of Priests established by the Statutes of this Realm, is prescribed to be delivered to all such as shall be received into the Ministry, they are admonished that they be the Messengers, the Watchmen, the Pastors and Stewards of the Lord to teach, to premonish, to feed and to provide for the Lords Family, to seek for Christs Sheep that be dispersed abroad, and for his Children which be in the midst of this naughty World, to be saved through Christ for ever, with other remembrances of other sundry weighty parts of their Duties; It may like their Honours to consider of some good Order to be given, that none hereafter be admitted to the Ministry but such as shall be sufficiently furnished with gifts to perform so high and so earnest a Charge, and that none be superficially allowed as persons qualified according to the Statute of the thirteenth of her Majesties Reign before recited, but with deliberate Examination of their knowledge and exercise in the Holy Scriptures answerable to the true meaning of that Statute.

4. Further, That for so much as it is prescribed in the form of Ordering Ministers, That the Bishops with the Priests present shall lay their hands severally upon the head of every one that receiveth Order, without mention of any certain number of Priests that shall be present; and that in a Statute made 21th of King H. the Eighth is affirmed, that a Bishop must occupy six Chaplains at giving of Orders; it may be considered whether it may be meet to provide that no Bishop shall Ordain any Minister of the word and Sacraments, but with the assistance of six other Ministers at the least, and thereto such only be chosen as be of good report for their Life, learned, continually resiant upon their Benefices with Cure, and which do give testimony of their Cure for the Church of God, by their diligence in teaching and preaching in their Charge. And that the said Ministers do testify their presence

at the admission of such Ministers by Subscription of their hands to some Act Importing the same. And further that this admission be had and done publicly and not in any private House or Chappel.

5. And where admission of unnecessary multitudes to the Ministry at one time hath been an occasion that the Church at this day is burthened with so great a number of unable Ministers, It may like their Lordships to advise, whether some provision might be made that none be admitted to be a Minister of the Word and Sacraments but in a benefice having Cure of Souls then vacant in the Dioceſs of ſuch a Biſhop as is to admit him, or to ſome place certain where ſuch Miniſter to be made is offered to be entertained a preacher, or ſuch Graduate as ſhall be at the time of their admission into the Miniſtry placed in ſome Fellowship or Scholarship within the Universities, or at the leaſt that trial be made of this Order for ſuch time as to their Honors wiſdoms ſhall be thought convenient.

6. That it be likewise conſidered whether for the better aſſurance that none creep into the charge and Cures being men of corrupt life or not known diligent, it might be provided that none be Inſtituted or by Collation preferred to any benefice with cure of Souls or received to be Curate in any Charge, without ſome competent notice before given to the Pariſhes where they rake charge, and ſome reaſonable time allowed wherein it may be lawful to ſuch as can diſcover any defect in converſation of life in the perſon who is to be ſo placed as is aforeſaid, to come and object the ſame.

7. That for the encouragement of many to enter into the Miniſtry which are kept back by ſome conditions of Oaths and Subſcriptions whereof they make ſcruple, it may be conſidered whether this favour may be ſhewed them, that hereafter no Oath or ſubſcription be tendred to any that is to enter into the Miniſtry or to any benefice with Cure or to any place of preaching, but ſuch only as be expreſſy preſcribed by the Statutes of this Realm; Saving that it ſhall be lawful for every Ordinary to try any Miniſters preſented to any Benefice within his Dioceſs by his Oath, whether he is to enter corruptly or incorruptly into the ſame.

8. Whereas ſundry Miniſters of this Realm diligent in their calling and of godly converſation and life, have of late years been grieved with Indictments in Temporal Courts and moleſted by ſome exerciſing Eccleſiaſtical Jurifdictions for omitting ſmall portions or ſome Ceremony preſcribed in the Book of Common-Prayer, to the great diſgrace of their Miniſtry and imboldening of men either hardly affected in religion or void of all Zeal to the ſame, which alſo hath miniſtered no ſmall occaſion of diſcouragement to the forwardneſs of ſuch as would otherwiſe enter into the Miniſtry, ſome good and charitable means may be by their honorable diſcretions deviſed, that ſuch Miniſters as in the publick

ſervice of the Church and in the adminiſtration of the Sacraments do uſe the Book of Common-Prayer allowed by the Statutes of this Realm and none other, be not from henceforth called in queſtion for omiſſion or change of ſome Portion or rite as is aforeſaid, ſo there doings therein be void of contempt.

9. That for as much as it is no ſmall diſcouragement to many that they ſee ſuch as be already in the Miniſtry openly diſgraced by Officials and Commiſſaries, who daily call them to their Courts to answer complaints of their doctrin and life or breach of Orders preſcribed by the Eccleſiaſtical Laws and Statutes of this Realm, It may pleaſe the reverend Fathers or Archbiſhops to take to their own hearings, with ſuch grave aſſiſtance as ſhall be thought meet, the cauſes of Complaint made againſt any known Preacher within their Dioceſs, and to proceed in the examination and Order thereof with as little diſcredit to the Perſon ſo complained of, without great cauſe and in as charitable ſort as may be, reſtraining their ſaid Officials and Commiſſaries to deal in any Sort in thoſe Cauſes.

10. It may alſo pleaſe the reverend Fathers to extend their charitable favours to ſuch known godly and learned Preachers as have been Suſpended or deprived for no publick offence of life, but only for reſuſal to ſubſcribe to ſuch Articles as lately have been tendred in divers parts of this Realm, or for ſuch like things, that they may be reſtored to their former Charges or places of Preaching, or at leaſt ſet at liberty to preach where they may be hereafter called.

11. Further, That it may pleaſe the reverend Fathers aforeſaid to forbear their examinations *ex officio mero* of Godly and learned Preachers not detected unto them of open Offence of life or for publick maintaining of apparent error in Doctrin, and only to deal with them for ſuch matters as ſhall be detected in them. And that alſo her Maſtieſties Commiſſioners for Cauſes Eccleſiaſtical be required, if it ſhall ſo ſeem good, to forbear the like proceedings againſt ſuch Preachers and not to call any of them out of the Dioceſs where he dwelleth, except for ſome notable offence, for Reformation whereof their aid ſhall be required by the Ordinary of the ſaid Preachers.

12. *Item*, For the better increaſe of knowledge of ſuch as ſhall be employed in the Miniſtry, It may pleaſe their Lordships to adviſe, whether it may be permitted to the Miniſters of every Archdeaconry within every Dioceſs to have ſome common exerciſe or conference amongſt themſelves, to be limited and preſcribed by their Ordinary, both touching the moderation and alſo the time, places and manner of the ſame, ſo as the moderators of theſe exerciſes be Preachers reſiant upon their benefices having Cure of Souls, and known to bear good affection to the furtherance of ſuch profit as may grow by the ſame exerciſes.

13. Where complaint is made of the abuſe of Excom-

Excommunication which is the highest censure that Christ hath left to his Church, and many are grieved as well in regard of the causes and matters wherein it is at this day used, as of the persons which have the common execution thereof, and no redress can be had herein but by Act of Parliament, that some remedy may be thought of in that behalf before the end of this Session, and for reformation to be had herein, it may please their Lordships to consider whether some Bill might not be conveniently framed to this effect, *viz.* That none having Ecclesiastical Jurisdiction shall in any matter already moved or hereafter mentioned give or pronounce any Sentence of Excommunication, and that for the continuance of any Person in Cases depending before them, it shall be lawful to pronounce him only *contumax*; and so to denounce him publicly; And if upon such Denuntiation, as in Excommunications hath been used, the Party shall not submit himself nor stand to abide such Order as is to him assigned within forty days, then it shall be lawful to signify his contumacy in such manner and sort, and to such Court as heretofore hath been used for persons so long standing Excommunicate, and that upon such Certificate a Writ *de contumace capiendo* shall be awarded of like force to all effects and purposes, and with like Execution as the Writ *de excommunicato capiendo* is.

14. Nevertheless for as much as it seemeth not meet that the Church should be left without this censure of Excommunication, it may be provided, that for enormous crimes, as Incest, Adultery and such like, the same be Executed by the Reverend Fathers the Bishops themselves, with the assistance of grave Persons, or else by other persons of Calling in the Church with like assistance, and with such other Considerations as upon deliberation shall be herein advised of, and not by Chancellors, Commissaries or Officials as hath been used.

15. Where Licences of non-Residence are offensive in the Church, and be occasion that a great number of this Realm do want instruction, and it seemeth that Cases certain wherein the same may be allowed can hardly be devised, such as shall be void of great inconvenience and danger; It may therefore be considered by their Honourable Lordships, whether it were more convenient or necessary that the use of them were utterly removed out of the Church; and so likewise of Pluralities.

16. But howsoever it shall be thought convenient to order these Faculties, yet for so much as besides the known duty of a Minister prescribed by the word of God, her Majesties Injunctions do require in every Curate a further quality of learning than ability to read only, as may be gathered by the forty third Article, and by other Charges imposed upon him to teach the Principles of Religion as is set down in the forty fourth Article; and sith also that no faculty of plurality or non-residence but with condition to see

the Cure from which he is absent sufficiently served; May it please their Lordships to consider, whether it were expedient to provide, that none now having Licence of non-residence, either by Law or by Faculties, shall hereafter be permitted to enjoy the benefit of such Licence, except he depute an able and sufficient Preacher to serve the Cure, and that no Curate by him placed be suffered to continue in his service of that Cure except he be of sufficient ability to Preach, and doth Weekly teach that Congregation, and perform the other Duties of instructing the Youth in the Catechism prescribed by her Majesties Injunctions.

These Petitions being thus transcribed out of the before-mentioned Copy of them I had by me, now follow the Answers of the Lord Treasurer and the Archbishop of York out of the Original Journal-Book of the House of Commons, as they were reported this instant *Thursday Febr. 25.* by Sir Francis Knolles Knight, Treasurer of her Majesties Household to the said House; which being imperfect in themselves I have caused to be a little altered and enlarged: whereby, as also by casting an Eye back to the several Petitions according to the several numbers or figures by which they relate each to other, they may the more fully be understood.

The Answer now which their Lordships had given unto the Committees of the House of Commons being delivered unto them by the Lord Treasurer and the Archbishop of York, was related unto the said House by Mr Treasurer one of the Committees, and is set down in the Original Journal-Book of the House of Commons in this (or rather a more imperfect) manner and form following.

The Lord Treasurer in general made Answer, That the Lords did conceive many of those Articles which the House of Commons had proposed unto them, to be unnecessary, and that others of them were already provided for, and that the Uniformity of Common-Prayer had been established by Parliament.

The Archbishop of York made an Answer more at large to all those several Articles which the House of Commons had proposed to their Lordships.

To the two first Articles he said, He conceived them not fit to be allowed of, because divers qualified persons were dispensed withal by Law. Secondly, That it was against the Rule of Charity to suppose that those who were non-resident had not some lawful avocation. Thirdly, That where Parishes had not sufficient Preaching Ministers, Divine Service and Godly Homilies were for the most part read; yet he promised that concerning non-residency it should be holpen and redressed as soon as might be.

The third Article he confessed to be very necessary.

The fourth Article he utterly disallowed.

The fifth Article tending to the avoiding of

Ministerium vagum, he allowed; yet said he it was sufficiently provided for already, saving he thought it might stretch too far, viz. to Deans, &c.

The sixth Article he utterly disallowed, which favoured of popularity and might raise many Controversies and Dissensions.

The Seventh Article he utterly disliked, alledging, that the Bishops themselves were not discharged from the taking of that Oath; and for subscription, he said he doubted not but that it was lawful, and that it might prove the Cause of much order and quietness in the Church.

The Eighth and Ninth Articles he utterly disallowed, as freeing them from Jurisdiction Temporal, and from the Bishops and all But what should here follow is left imperfect through the great negligence of *Fulk Onslow* Esquire, at this time Clerk of the House of Commons, in the Original Journal-Book of the same House; and yet it may seem that here should these words follow, viz. *their Ministers*, after these words, viz. *from the Bishops and all* And what these two Articles concerned, may easily be seen by casting an Eye back to the Petitions foregoing, n. 8. & n. 9.

The Tenth Article he said he could not but dislike, because deprivation was often necessarily used in *terrorem*, and that the party so deprived might upon his Submission (as in the Case of Excommunication) be received into favour.

The Eleventh Article he disliked.

The Twelfth Article he said that himself (in the name of their Lordships whom in all that he had before said he had but personated) did think it necessary, and would take Order for such Exercises as the But what should here follow is most negligently omitted by the Clerk of the House of Commons, yet it may be gathered by this Article n. 12. foregoing, that it was required that the exercises of private Conferences and Fasting might be more frequently enjoyed.

The Thirteenth and Fourteenth Articles he confessed to require no more than seemed reasonable; yet being more narrowly searched into, would breed much inconvenience: for if Excommunication shall not be allowed upon Contumacy and such other Delinquencies, though small in themselves, then must there be some new censure brought into the Church, which would be the occasion of much Innovation. To which also he added, that Excommunication in these Cases was used to no other end than Outlawries and Attachments in the Courts of Law and Justice, it being only to bring Parties to their lawful Answers; who upon their appearance are absolved of course: But yet promised that himself and the rest of the Bishops would take pains therein themselves; And that no Excommunication should hereafter be sent out but for Adultery and some other weighty Cause, or for such Contumacies as could not otherwise be possibly remedied.

The Fifteenth and Sixteenth Articles he acknowledged to stand with good reason, and that for himself he never granted any dispensation perpetual, but to one man who was then Aged eighty Years. And for himself he professed he would never again allow of any Pluralities for Life. And that the Original Faculty thereof belonged to her Majesty. Further alledging, that himself (in the name of their Lordships) did very well allow of that Proviso of theirs, That when any temporary Dispensations were granted, provision should be made of very able, godly and sufficient Curates.

And lastly he added, that because he feared some of the House of Commons were too ready to think and speak hardly of that Ancient and Godly Order of Bishops, yet he desired them that they would be pleased to think well of himself and the rest of his Brethren now living, if not in respect of their places, yet for Charity sake, and for that some of them were Preachers when many of the House of Commons had been in their Cradles.

Upon this Relation made by Mr Treasurer unto the House of Commons touching their Lordships Answer delivered by the Archbishop of York and the Lord Treasurer to himself and the rest of the Committees touching the foresaid Petitions, divers Motions and sundry long Speeches were made; in the conclusion whereof it was at last agreed, that first the former Committees calling to them such other grave Members of this House, learned in Divinity and in the Common Laws of the Realm, and also in Canon Law, as they shall think good, shall confer together in the Exchequer Chamber to Morrow in the Afternoon, touching the Answer of the Lords unto this House concerning the Petitions of this House exhibited unto their Lordships, and after such Conference and consideration had of the same Answer, then to resolve for further proceeding therein as then shall be thought meetest by this House. *Vide* concerning this business on Monday the 14th day, Wednesday the 16th day, and on Monday the 21th day of December foregoing: As also on Monday the 15th day, Tuesday the 16th, Thursday the 18th, and on Monday the 22th day of this instant February last past.

Mr Wharton one of the Committees in the Bills touching Curriers, Shoemakers, &c. brought in the old Bill and also a new.

On Friday the 26th day of February, Four Bills of no great moment had each of them one reading; of which the second being a new Bill against Idleness and Incontinent Life, and for the punishment of Rogues and Vagabonds, was upon the second reading committed to the former Committees, and Mr Grafton, Mr Doctor Fletcher, Mr Alford and Mr Lewkenor were added unto them, who were appointed to meet to Morrow in the Afternoon at two of the Clock in the Middle-Temple Hall.

A Bill against unlawful Licences to Marry was upon the first reading committed unto Sir Robert Germin,

Germin, Mr *Strickland*, Mr *Sands*, Mr *Greenfield* and others, and the Bill was delivered to Mr *Sands*, who with the rest was appointed to meet to Morrow in the Afternoon in the *Middle-Temple Hall*.

The Bill against unlawful Marriages in some cases was upon the second reading committed to the former Committees in the Bill against incontinent life, &c. and the Bill was delivered to Mr Doctor *Fletcher*; Mr *Beale* the Master of the Requests, and Mr *Aldersfey* were added unto them.

The Bill for swearing of Bishops and Archbishops was read the second time.

Mr Vice-Chamberlain one of the Committees for framing of a Bill against fraudulent Conveyances shewed, that the said Committees had met and travelled therein and drawn a new Bill accordingly; and thereupon delivered in the same Bill, together with the former old Bill which was sent from the Lords.

On *Saturday* the 27th day of *February* Four Bill of no great moment had each of them one reading; of which the last being a Bill for the maintenance of the Pier and Cobb of *Lime-Regis* was upon the second reading thereof committed unto Mr Vice-Chamberlain, Mr *Fitz James*, Mr *Hammon*, Mr *Haffard* and others, and the Bill was delivered to Mr *Haffard*, who with the rest was appointed to meet upon *Tuesday* the second day of *March* following in the Afternoon in the open Court in the Exchequer.

The Bill for bringing in of staple Fish and Ling had its second reading.

A Proviso to the Bill for *Barmick* upon *Trent* was twice read, and upon the Question it was resolved, that both the Bill and the Proviso must not be committed but ingrossed.

The Bill for Preservation of *Plymouth-Haven* passed upon the Question after the third reading, and was presently sent up to the Lords by Mr Treasurer and others, with request to their Lordships to know whether their Lordships have sought out their Precedents touching the Bill for the Sabbath day, *vide* on *Wednesday* the 17th day of *March* ensuing.

Three Bills also of no great moment had each of them one reading; of which the last being the Bill for the relief of the Hospital of *East-bridge* in *Canterbury* was read the third time, but passed not the House, because Mr Solicitor was by them appointed to be added to the former Committees in the Bill, and all of them to consider of the Queens Majesties Interest to an Annual Rent of Seven Pound Ten Shillings issuing out of the possessions of the said Hospital, that the House being further advertised thereof the Bill may go to the question.

Mr Treasurer and others coming from the Lords, he shewed that according to the appointment of this House they have moved their Lordships to know their pleasure touching the search of the Precedents concerning the further proceeding in the Bill for the better observation of the Sab-

bath day; and that the Lord Chancellor answered, that the Lords had caused the said Precedents to be searched and do find them true as they were alledged by the Committees of this House; saying further, that because both the said Precedents are but new and only in her Majesties time, their Lordships would have further search of more ancient Precedents; and then afterwards their Lordships will make further answer therein unto this House. And the said Mr Treasurer further then declared, that their Lordships desired that a Committee of this House might be appointed to have conference with their Lordships upon *Munday* next in the Afternoon touching the Bill for the good government of the City of *Westminster* lately sent from this House to their Lordships. *Vide* concerning this Bill of the Sabbath on *Wednesday* the 17th day of *March* following.

Mr Vice-Chamberlain moved, that the Committees for the framing of the Bill for her Majesties safety, and those also for the Bill for continuance of Statutes which Mr *Hammon* added unto them, may meet this Afternoon in the Exchequer Chamber, and those also that are appointed for Conference touching the answer to the Petitions. *Vide* concerning these Petitions on the day immediately foregoing, where further references are made to such other days upon which they are handled.

On *Munday* the first day of *March* the House being set, though of no great number (Mr Speaker being absent) and the Letany and prayers first said by the Clerk in the House, the Clerk afterwards signified unto this House from Mr Speaker his present occasion of absence by reason of taking some Physick yesterday, whereby he now at this instant kepeth his Bed, and is not able without danger of greater peril of extremity to give his attendance in this House at this time. And further, that he desireth this whole House to bear with his said necessary occasion of absence for this present day, well hoping he shall be the better able to do them service the whole residue of this Session afterwards. All which done the House did then rise, and every man departed away well satisfied accordingly, and were sorry for his Sicknes. Whereupon it seemeth they adjourned the House until to Morrow.

On *Tuesday* the 2^d day of *March* Mr *Hammon* one of the Committees in the Bill for continuance of Statutes brought in the same Bill.

Four other Bills also of no great moment had each of them one reading; of which the second being the Bill for Augmentation of Justices Fees was upon the second reading committed to Mr Vice-Chamberlain, Mr Chancellor of the Exchequer, Mr Recorder and others. But the time and place when and where these Committees were to meet, is through the Clerks negligence wholly omitted.

Mr *Cromwell* one of the Committees in the Bill

against Licences granted to Marry, brought in the old Bill and also a new.

The Bill for the maintenance of the Hospital of *East-bridge* in *Canterbury* was brought in again, with a Proviso agreed upon, by Mr Solicitor and Mr Recorder of *London*, which Proviso was twice read and Ordered to be ingrossed.

The Bill last read touching Tellors and Receivors was now committed unto Mr Treasurer, Mr Chancellor of the Exchequer, Mr Solicitor and others, and the Bill was delivered to the said Mr Treasurer, who with the rest was appointed to meet in the Exchequer Chamber this Afternoon.

Nota, That the Bill touching *Eastbridge* had been before committed on *Saturday* the 20th day of this instant *February* to Mr Recorder and others, and by him afterwards brought into the House again on the *Saturday* following being the 27th day of the same Month, just in the same sort as it had been committed unto them upon the foresaid day after the second reading. But the House it seemeth desiring that further consideration should be had therein, the Committees desired Mr Solicitor and Mr Recorder to consider thereof accordingly, who thereupon this day brought it in again with a new Proviso, which being twice read, the said Bill touching the Hospital of *Eastbridge* in *Canterbury*, was with the said Bill committed to be ingrossed.

The Bill for assurances of certain Lands and Tenements to *Jonas Scott*, was upon the third reading assented unto.

Mr *Cromwell* was added to the former Committees for Examination of Process upon the Members of this House, and to make report to Morrow accordingly thereof unto this House.

The Bill against covenous and fraudulent Conveyances was upon the second reading committed unto Mr. Recorder, Mr. Solicitor, Mr. *Morrice* and others, and the Bill was delivered to Mr. Recorder, who with the rest was appointed to meet this Afternoon in the Exchequer Chamber.

Upon *Friday* next in the Afternoon the House was appointed to be called.

The Bill touching Apprentices in the City of *London* was committed unto Mr. *Woodruffe*, Mr. Recorder, Mr. *Cromwell*, Mr. *Wroth* and others, but no mention is made either of the time or place when and where these foresaid Committees were appointed to meet.

On *Wednesday* the third day of *March*, Seven Bills of no great moment had each of them one reading; of which the second being the Bill against the detestable sin of Adultery had its first reading; and the sixth being the Bill for the true Answering of Tythes, was upon the second reading committed to the former Committees, and Mr. Recorder and Mr. *Conisby* were added unto them.

Mr. Vice-Chamberlain touching the Bill for the safety of her Majesties most Royal Person, declaring the often meeting of the Committees

in the same, who have been sometimes commanded to other services, besides in the mean time, shewed, that the same Committees have drawn a Bill for that purpose, and offereth the same to the House, praying it might be read; and thereupon it was then read accordingly, *viz.*

The new Bill for the safety of the Queens Majesties most Royal Person was read the first time.

Mr. Serjeant *Rodes* and Mr. Attorney did bring from the Lords two Bills, *viz.* the one touching Jesuits, with some amendments and a Proviso, and the other touching certain assurances from the Bishop of *Winchester* and the Dean and Chapter of the same; with request also from their Lordships, that the Committees of this House in the Bill for the better Government of the City of *Westminster* may presently be sent to have Conference with their Lordships in the same Bill, and but in a small thing concerning the same.

The Bill for the repairing and maintenance of the Sea-Banks and Sea-Works on the Coasts of *Norfolk*; and the Bill for the assurance of certain Lands and Tenements to *Jonas Scott*, were sent up to the Lords by Mr. Vice-Chamberlain and others, with request of this House also, that their Lordships would have the Bill for the better observation of the Sabbath day in remembrance for the better expediting thereof. *Vide de Billâ Sabbathi*, on *Wednesday* the 17th day of this instant *March* following.

The Bill for two Fifteenths and Tenths and one entire Subsidy was read the first time.

Mr. Vice-Chamberlain and the residue returning from the Lords, he shewed the delivering of the Bills and Message, and that their Lordships would send an Answer of the Message as soon as they have considered of the Precedents which their Clerk deliverd unto them this day.

Mr. Serjeant *Gawdie* and Mr. Serjeant *Rodes* did desire from their Lordships that this House would appoint that six of this House and the Clerk may have Conference with their Lordships to Morrow in the Morning before the sitting of the Court, touching the Orders of amendments in Bills in both Houses. Whereupon were appointed for that purpose Mr. Vice-Chamberlain, Mr. Chancellor of the Exchequer, Mr. Solicitor, Mr. *Sandes*, Mr. *Cromwell*, Sir *William Moore* and Mr. *Morrice*, but thought needless that the Clerk should attend therein, for that all the Precedents of amendments in both Houses are always left and do still remain with the Clerk of the Upper House. *Vide* concerning this matter on *Saturday* the 27th day of *February* foregoing.

On *Thursday* the fourth day of *March*, Two Bills of no great moment had each of them one reading; of which the first being the Bill concerning certain assurances of the Bishop and Dean and Chapter of *Exeter* had its first reading.

Mr. *Thimbleby* upon a Motion made by Mr. Speaker, was Licensed to repair home into the Country to an Affizes.

Sir Robert Germin also being sick was upon a Motion made Licenced to be absent for the recovery of his Health.

The Bill for the preservation of Grain and Game was upon the second reading committed to Sir Edward Hobby, Sir John Tracy, Mr. Lieutenant of the Tower, Sir Henry Nevill, Sir Thomas Lucy and others, and the Bill was delivered to the said Sir Thomas Lucy, who with the rest was appointed to meet this Afternoon in the Parliament-House or Parlour of the Middle-Temple.

The Bill for maintenance of the Pier and Cob of Lime Regis, and the Bill against unlawful Marriages in some Cafes, were brought in by Mr. Hammon one of the Committees with some Amendments.

Three Bills of no great moment had each of them one reading; of which one was touching the breadth of Cloths with some Amendments and Additions (the same Amendments and Additions being twice read) the Bill was Ordered to be ingrossed.

Mr. Serjeant Gawdie and Mr. Serjeant Rodes did bring from the Lords two Bills; the one for the Haven of Chichester, and the other for the assurance of certain Lands to the Lord Willoughby from one Herenden, with report from the Lords of the assent of the said Herenden to the passing of the same Bill in the Upper House: And shewed withal, that the said Herenden was then at the Door of this House ready to affirm the same assent both there and here. Whereupon the said Herenden was called in, and alledging his name to be Edward Herenden, and so known to be by Mr. Grafton one of the Members of this House, affirmed and avowed his said assent to the passing of the said Bill accordingly.

Mr. Treasurer declared from the Lords touching the Precedents in the Bill for the Sabbath day, that their Lordships having considered of the said Precedents do think good that by the privity of some of both Houses to be appointed for that purpose, some such course be taken by mutual assent of both Houses as may from henceforth be certainly used in like Cafes hereafter. *Vide* concerning this matter on Wednesday the 17th day of this instant March ensuing.

The Committees for the Bill concerning Tellors and Receivors, &c. and in the Bill concerning Justices Fees, were appointed to meet this Afternoon in the Exchequer Chamber, and the said latter Bill was delivered to Mr. Chancellor of the Exchequer.

The Committees for the Bill concerning Tellors and Receivors, &c. and for the Bill for Justices Fees, being appointed to meet this Afternoon as aforesaid, The Bill against covenous and fraudulent Conveyances with some Amendments and Additions (the same Amendments and Additions being twice read) was Ordered to be ingrossed.

The Bill against Idle and Incontinent Life, and for punishment of Rogues and Vagabonds, was

read three times, and two Provifoes in the latter end were likewise twice read.

Mr. Edward Sanders one of the Committees in the Bill for preservation of Timber in the County of Suffex, brought in the old Bill and also a new Bill.

On Friday the 5th day of March Mr. John Ruffel one of the Knights for the County of Worcester was for his great business Licenced by the House to depart.

Three Bills of no great moment had each of them one reading; of which the last being the Bill concerning the *Latitats* of the Peace in the Kings-Bench, was upon the second reading committed unto Mr. Morrice, Mr. Bacon, Mr. Hammon, Mr. Wroth, Mr. Cromwell and Mr. Nicholas Hare, who were to repair presently into the Committee Chamber of this House.

The Bill also against delays of Executions was upon the second reading committed unto Mr. Attorney of the Wards, Mr. Morrice, Mr. Cromwell, Mr. Owen and others, and the Bill was delivered to Mr. Attorney of the Wards, who with the rest was appointed to meet this Afternoon in the Committee Chamber of this House.

The Bill for the safety of her Majesties most Royal Person, &c. was upon the second reading committed to the former Committees, Mr. Harris, Mr. Grice and Mr. Lemkenor being added unto them, and the Bill was delivered to Mr. Vice-Chamberlain, who with the rest was appointed to meet this Afternoon in the Exchequer Chamber.

The Bill for the Subsidy was appointed this Afternoon for a second reading

Mr. Chancellor of the Exchequer one of the Committees in the Bill touching Receivors, Tellors, &c. brought in the Bill again with a Proviso and some certain Amendments.

The Bill against Idle and Incontinent Life, and for the punishment of Rogues and Vagabonds, after the Provifoes thereof had been twice read the day foregoing, was now again committed to the former Committees, viz. Mr. Morrice, Mr. Diggs, Mr. Heyle, Mr. Alford, Mr. Jennings, Mr. Utreghht, Mr. Vice-Chamberlain and Mr. Chancellor of the Exchequer, who were appointed to meet in the Afternoon in the Exchequer Chamber.

A new Bill for continuance of Statutes was brought in by Mr. Vice Chamberlain one of the Committees.

The Bill also against covenous and fraudulent Conveyances had its third reading.

Post Meridiem.

In the Afternoon two Bills of no great moment had each of them one reading; of which the first being the Bill for two Fifteenths and Tenths, and one entire Subsidy, was upon the second reading Ordered to be ingrossed.

On Saturday the 6th day of March, Two Bills

of no great moment had each of them one reading; of which the second being the Bill for the true Answering of Tythes, and for the avoiding of the multiplicity of Excommunications and Perjuries, was upon the third reading committed again to the former Committees, to which were also added Mr. Shirley, Mr. Alford, Mr. Heyle and Mr. Morley, who were appointed to meet this Afternoon in the *Middle-Temple Hall*, and to put in the Provisoes in the former Act of 2 E. 6. and all the residue thereof without any alteration, saving only of the forty years before that Statute to be altered hereafter before the Libel exhibited.

Mr. *Tasborough* one of the Committees in the Bill for imploying of Lands, &c. to the maintenance of Highways and Bridges, brought in a new Bill agreed on by the said Committees for that purpose.

Two Bills also of no great moment had each of them their third reading and passed the House; of which the last was the Bill for the maintenance of *Orford-Haven* in the County of *Suff.* which Bills Mr. Vice-Chamberlain and others did carry up to the Lords from the House of Commons, as also the Bill concerning the Sabbath day, and that they should move their Lordships to proceed to the perfecting of the said amendments and expediting of the same Bill by both Houses accordingly, for both the Bill and the amendments upon the amendments had before fully passed the House of Commons. *Vide plus* concerning this Bill on *Wednesday* the 17th day of this instant *March* following.

Mr. Vice-Chamberlain one of the Committees in the Bill for her Majesties Safety, declared their meeting yesterday and great travel in the Bill wherein they have made some amendments, delivered in the Bill which was then read, and the said amendments being twice read, the Bill upon the question was Ordered to be ingrossed.

Sir *Edward Hobby* one of the Committees in the Bill for the preservation of Grain and Game brought in the Bill with some Amendments and Additions made by the Committees.

The Bill concerning the breadth of certain Wollen-Cloths had its third reading, and after many Arguments passed upon the question.

A Proviso was offered to the Committees for the Bill of continuance of Statutes by Mr. *Strickland*, the Proviso being not read was delivered to Mr. *Hammon*.

On *Monday* the 8th day of *March*, Two Bills of no great moment had each of them one reading; and after long Arguments upon the second of the said Bills being for the better ordering and good Government of the City of *Westminster*, it was upon the second reading committed unto Mr. Vice-Chamberlain, Mr. Chancellor of the Exchequer, Mr. Treasurer, Sir *Thomas Heneage* and others, who were appointed to meet to Morrow in the Afternoon in the Exchequer Chamber.

Mr. *Richard Carey* one of the Committees in

the Bill for plain white straights and pinned white straights brought in the Bill with new Amendments, which Amendments being also twice read the Bill was Ordered to be ingrossed.

Two Bills of no great moment were Ordered to be ingrossed, the first after the Bill it self had been read the second time, being against trying of Tythes of Lands in Foreign Counties; the second after certain Amendments and Additions unto it had been twice read, it being the Bill for the maintenance of the Pier and Cobb of *Lime Regis* in *Dorsetshire*.

The Amendments in the Bill touching *Latitats* of the Peace being twice read, the Bill was Ordered to be ingrossed.

Two Bills also of no great moment had each of them one reading; of which one being the Bill for reformation of errors in Fines and Recoveries in the twelve Shires of *Wales* had its third reading.

Mr. Attorney of the Wards one of the Committees in the Bill for perfecting of assurances, brought in the Bill again.

Mr. *Vernon* with his Learned Council was upon a Motion by one of this House appointed to be heard, who came into this House with his Council accordingly; where being heard at large, and the Council also of the other side, they were sequestred out of the House: and after their departure it was resolved, after many and long Arguments upon the question, that a Proviso be added to the Bill. And thereupon Mr. Solicitor, Mr. Recorder, Mr. *Sandes* and others were appointed to draw the Proviso.

Post Meridiem.

Six Bills of no great moment had each of them one reading; of which one being the Bill touching Highways, another for continuance of Statutes, and a third concerning Tanners, Curriers, Shoemakers, &c. being all new Bills, were each of them read the first time.

On *Tuesday* the 9th day of *March*, Five Bills of no great moment had each of them one reading; of which the second being the Bill for the better imploying of Lands, Tenements, &c. for the repairing of Highways, &c. were each of them upon the second reading committed to the former Committees and to Mr. *Cromwell*, Mr. *Edgecombe*, Mr. *Barker* and Mr. *Shirley*. But the time and place when and where the said Committees should meet is wholly omitted through the negligence of the Clerk.

Mr. Attorney of the Court of Wards and Mr. *Shirley* brought in the Bill again against delays in Executions with some Amendments only in form.

A Proviso by Mr. *Cradock* offered to the Bill of safety, and the Proviso read and rejected, and the Bill passed upon the question without the said Proviso.

The Bill touching Jesuits, &c. being somewhat considered

considered in the Amendments, and the Additions in the same once read, after some Speeches and Arguments touching the same Amendments and Additions, was committed further to be considered of unto all the Privy Council being Members of this House, Mr. Solicitor, Mr. Attorney of the Wards, Mr. Recorder, Mr. *Sands*, Sir *William Moore*, Mr. *Diggs*, Mr. Doctor *James*, Mr. *Heyle*, Sir *Thomas Heneage*, Sir *Henry Cocke*, Sir *Drew Drexry* and others, who were appointed to meet at two of the Clock this Afternoon in the Exchequer Chamber.

A Bill also that Actions upon the Case and for Tryal of title of Lands shall not be brought in Foreign Counties, passed upon the question after the third reading.

The Amendments in the Bill against delay of Executions was twice read, and thereupon the Bill was Ordered to be ingrossed.

On *Wednesday* the 10th day of *March* two Bills of no great moment had each of them their second reading; of which the first touching the true making of Hats and Caps was rejected, and the second touching the Water-Bayliff was upon the second reading committed unto Mr. Treasurer, Sir *Henry Nevill*, Sir *Nicholas Woodruffe*, and others, and the Bill was delivered to Sir *Nicholas Woodruffe* and others, who were appointed to meet this Afternoon in the Exchequer Chamber.

A Proviso to the Bill for Shoemakers, &c. was thrice read, and the Bill with the Same Proviso being put to the question passed.

A Proviso to the Bill touching Tellors and Receivors, &c. was twice read, and the Proviso and Bill committed to the former Committees, and there were added unto them these following (*viz.*) Mr. Solicitor, Mr. *John Hare*, Mr. *Skinner*, Mr. *Aldred*, Mr. *Fenner* and Mr. *Audeley*, who were appointed to meet in the Committee Chamber of this House to morrow Morning.

A Proviso also agreed unto by the Committees and to be added to the Bill for reformation of Errors in Fines and Recoveries in the twelve Shires of *Wales* and Counties Palatine, with the privy and likeing also of Mr. *Vernon* himself and one of his Councel, and of the Solicitor and one of the Councel learned of Sir *Edward Herbert* Knight, was brought in by Mr. Solicitor, and being twice read was ordered to be ingrossed.

Six Bills were sent up to the Lords from the House of Commons by Mr. Treasurer and others; of which the last being a Bill against delay of Executions did at this time pass the House upon the third reading immediately before it was sent up, *ut supra*.

Four Bills of no great moment had each of them one reading; of which the last being the Bill for maintenance of the Pier and Cobb of *Lime Regis* in the County of *Dorset* had its third reading: upon which a Proviso was offered unto it, which being twice read was allowed by the House and ordered to be ingrossed, and

so was ingrossed in the end of the said Bill and afterwards read the third time. And so thereupon the Bill passed upon the question.

Mr. Treasurer with the residue returning from the Lords, he shewed that they have moved their Lordships for conference in certain points touching the Bill of Jesuits, and that the Committees of this House moved their Lordships to amend some such words in their own amendments, as which albeit the Committees of that House thought meet to be done for the matter; yet they said they could not do it but by order of the House. And the said Mr. Treasurer said, that yet nevertheless because that imperfection might be very well holpen by a Proviso of this House, he wished rather to take that course in the matter, than further to urge the Lords in that point. And said further, that for other parts also of their Lordships amendments and additions to the said Bill it was thought good by the Committees of both the said Houses to have further conference together therein again for the more speedy dispatch of the same.

The Bill touching process of the peace awarded out of the Court of Chancery and Kings Bench was upon the third reading committed again unto Sir *Henry Nevill*, Mr. Solicitor, Mr. *Cromwell* and others, and the Bill was delivered to the said Mr. *Cromwell*, who was with the rest appointed to meet to morrow in the Afternoon in *Lincolns-Inn Hall*.

Mr. Recorder of *London* one of the Committees in the Bill against Idle and incontinent life brought in the old Bill and also a new Bill.

Mr. *Sandes* one of the Committees in the Bill touching Apprentices brought in the old Bill and also a new Bill.

On *Thursday* the 11th day of *March* it was ordered that the House should be called together upon *Saturday* in the Afternoon, and then also a Collection to be made for the poor.

Mr. *Francis Hastings* being employed in Post in the service of her Majesty was upon a motion made thereof by Mr. Speaker dispensed with and excused for his absence.

Francis Bromley Esq; one of the Knights for the County of *Salop*, was Licensed for his great business at the Assizes to depart.

Sir *William Moore*, Mr. *Cromwell* and Mr. *Utregh* were appointed to examine one *John Bland* a Currier, of whom the House had heard that he said concerning the Tanners Bill lately read in the House, that the Bill had been allowed upon the reading although a great part of it had been omitted. *Vide* on *Saturday* the 13th day of this instant *March* following.

Three Bills of no great moment had each of them one reading; of which the second being the Bill for continuance of Statutes was upon the second reading committed again to the former Committees to whom were added these following, *viz.* Mr. *Strickland* Mr. Recorder, Mr. *Heyle*, Mr. Solicitor and Mr. *Sands*; to which Bill six Provisoes or additions were twice read, and two

of them rejected, and four of them Committed to the four Committees, who were appointed to meet this Afternoon in the Exchequer Chamber and so for the Bill of the *Savoy*.

Mr Serjeant *Rodes* and Mr Doctor *Barkeley* did bring from the Lords three Bills; of which the second was the Bill for the increase of Pheasants and Partridges.

Mr *Hammon* one of the Committees in the Bill for the true answering of Tythes brought in the old Bill and also a new Bill.

The Amendments and Additions of the Lords to the Bill against Jesuites, and also the amendment of this House added to their Lordships said amendments, and also to their Lordships Schedule, were read and at large considered and agreed upon by the whole House. Which done, upon further debating of the form and manner of the finishing thereof, it was thought fittest by some of the oldest Parliament men of this House and by the Clerk, that their Lordships should be moved to reform their amendments according to the direction of our amendments in their said amendments, before we insert theirs into the said Bill.

On *Friday* the 12. day of *March*, The Bill for two Fifteenths and Tenths and one entire Subsidy granted by the Temporality was read the third time and passed upon the question.

The Proviso to the Bill for reformation of Errors in Fines and Recoveries in the twelve Shires of *Wales* and Counties Palatine was read the third time, and passed with the Bill upon the question.

The Proviso to the Bill for the maintenance of the Hospital of *Eastbridge* in *Canterbury* had its third reading, and the Ordinances of the now Bishop of *Canterbury* were then read also, and so left to be further considered of in conference with the Lords touching some words needful to be added in some part of the said ordinances.

The Bill touching the Water-bayliff with some amendment by Proviso was brought in again by Sir *Henry Nevill* one of the Committees.

Sir *Walter Mildmay* Chancellor of the Exchequer one of the Committees in the Bill for the *Savoy*, shewed that they the said Committees have met together about the said Bill, and that they think meet that the Master of the *Savoy* do deliver unto this House a note of the names of the Lessees, that they may be called and heard what they can say for themselves touching their several interests.

The Bill for continuance of Statutes was brought in with some amendments by Mr *Cromwell* and Mr *Hammon* two of the Committees, with one Proviso also for the Ports allowed of by the Committees, and the three other Provisoes residue of the four former disallowed by them, and so rejected by the House; and the amendments twice read the Bill was ordered to be ingrossed. And the Proviso this day offered touching limitation of time for bringing in of

Sutes upon the Penal Laws now revived, was after sundry Speeches respited to be further considered of in the mean time of ingrossing the Bill.

Mr *Tasborough* one of the Committees in the Bill for the better imploying of Lands, Tenements, &c. given to the maintenance of Highways and for relief of the Poor, brought in the Bill with some Amendments and Additions of Provisoes.

On *Saturday* the 13th day of *March*, Mr *Cromwell* one of the Committees in the Bill touching Process of the Peace, brought in the Bill with some Amendments, which were twice read and then Ordered to be inserted into the Bill which was already ingrossed: after which the said Bill and amendments did pass the House upon the question after the third reading.

Two Bills of no great moment had each of them one reading; of which the first being the Bill against the abuse of Corn and Grain was twice read and Ordered to be ingrossed.

Upon report made unto this House by Mr. Speaker, that one *John Bland* a Currier of *London* had given out to some honourable persons, that this House passing the Bill of the Shoemakers had proceeded contrary to an Order taken in the same House, which he said was, that the Shoemakers Bill should not be further read till the Curriers Bill were first read before; and hath likewise reported, that the Curriers could have no Justice in this House; and also that this House passed the said Shoemakers Bill when there were scanty fifty persons in the House; and that if their Friends had been there at that time, the said Shoemakers Bill had not passed at all. And further reported, that the Bill for the Tanners lately read in this House was not all read out, but some leaves thereof left unread at all. Which Speeches being very slanderous and prejudicial to the State of this House, and not meet to be passed without due consideration therein to be had, it was thereupon resolved, That Sir *William Moore*, Mr. *Cromwell* and Mr. *Utreght* should presently examine the said *Bland* being now without the Door of this House, who did then go forth for that purpose accordingly; and returning back into the said House from the Examination of the said *John Bland*, Sir *William Moore* shewed, that the said *Bland* being charged by them with his said leud demeanor, also avowed to his face before them by two Witnesses, the one alledging in this House, that he said the Curriers could have no Justice in this House, and the other, that the Curriers could have no Equity in this House, did not, nor could not much deny the same Speeches, as that there were not fifty persons in the House when the said Shoemakers Bill passed, and that the said Tanners Bill was not all read out; and that it was Ordered before by the House, that the Shoemakers Bill should not be read any more till the Curriers Bill had been first read before. And further answered, that he had been told so, but utterly refused in
any

any wife to shew them who told him so. Whereupon the said *Bland* was brought by the Serjeant to the Bar, where being particularly and severally charged by Mr. Speaker, and confessing his name to be *John Bland*, and that he was a Carrier of *London*, could not much deny the matter he was charged with, but in some sort excusing himself, and alledging that he had spoke some words to the foresaid effect to some of the Shoemakers and none others, and that he was told of some (he knew not he said of whom) both of the said Order of staying the said Shoemakers Bill from further reading till the Curriers Bill was first read, and also of the not through reading of all the whole Tanners Bill, and praying this House to be good to him and to forgive him his fault if, he said, he had offended. He was then sequestered the House. Whereupon it was afterwards resolved after sundry Motions and Speeches, that in respect he was a poor man and had a great charge of Children, he should, if he would acknowledge his fault and submit himself to the satisfaction of this House, be then delivered paying his Fees, and that he should pay to the Serjeant therein for his Fee twenty shillings, and taking the Oath of Supremacy. Which done, the said *Bland* was brought in again to the Bar, who kneeling upon his knee and being signified by Mr. Speaker of the pitiful and favourable consideration of this House towards him, upon condition of such his submission (as aforesaid) to be made, he then made the same submission accordingly, pronounced the said Oath at the Table after the Clerk with his right hand upon the Bible, kissed the Book, and so then departed. *Vide* concerning this matter on *Thursday* the 11th day of this instant *March* foregoing.

The Bill for the increase of Pheasants and Partridges had its first reading; which being read Mr. Treasurer did thereupon presently disavow and relinquish any authority or ability by the said Bill of giving Licence to any to take any Pheasants or Partridges for the provision of her Majesties House. Which done, Sir *Henry Cock* did the like openly in the House in the behalf and by the appointment of the right honourable the Lord Steward.

The Bill for continuance of Statutes was read the third time; and a Proviso touching the times limited for commencing of Suits upon the penalties in the Statutes revived for the increase of Tillage, was twice read, and upon the question Ordered to be ingrossed; and the same Proviso being once read again after the ingrossing thereof, the Bill was put to the question, and passed accordingly.

Mr. Serjeant *Rodes* and Mr. Doctor *Barkley* brought from the Lords two Bills; the one for provision to be made for the safety of her Majesties most Royal Person and continuance of the Realm in Peace, with some little amendments; And the Bill for the better and more reverend observing of the Sabbath day; with Message from their Lordships touching that Bill, that as

the same Bill upon divers Conferences had between both Houses hath received divers Alterations, Additions and Amendments upon Amendments, so their Lordships do desire that the said Bill standing in such case of Amendments, Additions and other things as now it is in, may be fair written again in Parchment, and then so further to be Examined by the Committees of both Houses, that by the Agreement of both Houses the Record of so good and godly Law may remain fair and perfect, and then the Bill to be new passed again in both Houses. Which matter being opened to the House by Mr. Speaker (after the departure of the said Mr. Serjeant *Rodes* and Mr. Doctor *Barkley*) the said Motion from the Lords therein was assented unto by this House accordingly, and liked well of. *Vide* concerning this matter on *Thursday* the third day of *December* foregoing.

The Amendments in the Bill for provision to be made for the safety of her Majesties most Royal Person, and continuance of the Realm in Peace added by the Lords before their late sending down thereof, were only these, (*viz.*) the words [foreseeing that] were put in for the words [so as] which said words so newly added by their Lordships were at this time twice read, the Bill it self having before passed this House, and from hence sent up to the Lords on *Wednesday* last past (being the 10th day of this instant *March*) and being well allowed by the said House, the same were inserted into the same Bill accordingly, and presently after were read the third time, and so passed upon the question. And the said Bill was sent back again to the Lords by Mr. Treasurer and others, with four other Bills of no great moment, with direction to pray their Lordships, that Conference may be had touching the Bill against Jesuits, according to the former resolution of this House.

The Amendments in the Bill for the better employing of Lands, Tenements, &c. given to the maintenance of High-ways, &c. and for relief of the Poor, and Provisoes added to the same Bill, were all twice read; and so the Bill and all the Amendments and Provisoes were Ordered to be ingrossed.

The Amendments and Provisoes added to the Bill touching the Water-Bailiff were twice read and Ordered with the Bill to be ingrossed.

On *Monday* the 15th day of *March*, Three Bills of no great moment had each of them one reading; of which the second being the Bill that Marriages may be lawfully solemnized at all seasons of the Year, was twice read and Ordered to be ingrossed.

Mr. Serjeant *Rodes* and Mr. Doctor *Barkley* did bring from the Lords three Bills; of which one was for establishment of an Award made between the Lord *Rich* and Sir *Thomas Barrington* Knight; and the third was a Bill for the Inning of *Eryth* and *Plumsted* Marsh. *Nota*, That these two Bills are not at all mentioned in the Original Journal-Book of the Upper House, to have been

been sent down at this time from the Lords to the House of Commons; but only the Bill against Jesuits: and it is very probable that they were omitted through the negligence of *Anthony Mason Esq;* at this time Clerk of the Upper House.

The Bill against abuses in making of *Devonshire Kerfies* was upon the second reading committed unto *Sir William Mohun*, *M^r Edgcombe*, *Sir Francis Drake* and others, and the Bill was delivered to *M^r Prowze*, who with the rest was appointed to meet this Afternoon in the *Middle-Temple Hall*.

It was ordered upon a motion this day by *M^r Recorder of London* that a Warrant for a Writ of Privilege be awarded for setting at liberty of *John Pepler* now prisoner for debt in the Counter in *London*, servant unto *Sir Philip Sidney* a Member of this House.

A new Proviso and certain amendments now newly added to the Bill for maintenance of the Hospital of *Eastbridge* in *Canterbury* were three times read, and all passed upon the question.

The Bill for keeping the County Court at *Morpeth* for the County of *Northumberland*, was upon the second reading committed unto *M^r Treasurer*, *M^r Comptroller*, *Sir Thomas Heneage* and others, and the Bill was delivered to the said *M^r Treasurer*, who with the rest was appointed to meet this Afternoon in the Exchequer Court.

The amendments in the Bill against Idle and Incontinent life and for the punishment of Rogues and Vagabonds, and the Proviso for *Southwark* were twice read, the said Proviso was committed, and the Bill in the mean time ordered to be ingrossed.

M^r Doctor Barkley and *M^r Doctor Carey* did bring word from the Lords that their Lordships do desire that a Committee of this House may be appointed to have conference with their Lordships this Afternoon touching the Bill for the breadth of Cloaths, lately sent from this House unto their Lordships. Whereupon the former Committees of this House in the same Bill are appointed for that purpose accordingly.

Three Bills of no great moment were sent up to the Lords from the House of Commons by *M^r Vice-Chamberlain* and others; whereof the last was touching certain Assurances of the Bishop of *Exeter* and the Dean and Chapter of the same.

On *Tuesday* the 16th day of *March* four Bill of no great moment had each of them one reading; of which the third being the Bill for the establishment of the Company of Curriers of *London* had its first reading; and the fourth touching the taking of Apprentices was upon the second reading committed unto *Sir William Moore*, *M^r Solicitor*, *M^r Recorder* and others, who were appointed to meet this Afternoon in *Lincolns-Inn Hall*.

The Bill for the true using and making of Malt was upon the second reading committed

unto *M^r Treasurer*, *M^r John Hare*, *Sir William Moore*, and others, and the Bill was delivered to *M^r Treasurer*, who with the rest was appointed to meet this Afternoon in the Exchequer Chamber.

M^r Cromwell one of the Committees touching *Devonshire Kerfies* called Dozens, brought in the Bill with some amendments.

Three Bills of no great moment had each of them one reading; of which the first being the Bill against the abuse of Corn and Grain, had its third reading, and certain amendments which had been added unto it, after they were twice read, were ingrossed.

Four Bills were sent up to the Lords from the House of Commons by *M^r Treasurer* and others, of which the last was the Bill concerning the *Water-Bayliff*.

The amendments and additions to the Bill that the Lands, Tenements, &c. of Tellors, Receivors, &c. shall be lyable to the payment of their debts, were twice read, and the additions ordered to be ingrossed.

Two Bills were sent down from the Lords to the House of Commons; of which the last was for the Incorporation of the Hospital of Christ in the Town of *Sherburn*; and the first for the Grant of a Subsidy of the Clergy with the confirmation of the Lord Archbishop of *Canterbury*; which said Bill is mentioned in the Original Journal Book of the Upper House to have passed this day, but not to have been sent down to the House of Commons.

The Bill that Recusants shall not have Armour, Weapons or shot in their Custody, was upon the second reading committed unto all the Privie Council, *Sir Henry Cock*, *Sir John Higham*, *M^r Attorney of the Wards* and others, who were appointed to meet to morrow in the Afternoon in the Exchequer.

The Bill for the maintenance of Forts, Bulwarks, &c. near to the Town of *Southampton* had its second reading, and was rejected upon the question.

Post Meridiem.

Five Bills of no great moment had each of them one reading; whereof the second being a new Bill for the true answering of Tythes had its first reading; and the third being the Bill for the establishment of an Award made between the Lord *Rich* and *Sir Tho. Barrington* Knight was read the third time, and committed unto *M^r Audeley*, *M^r Atie*, *M^r Wiseman* and *M^r Grafton*, who were appointed to meet to morrow Morning in the Exchequer Court.

On *Wednesday* the 17th day of *March* The Bill touching Slandorous Books and Libels was read the first time, and upon the question rejected.

The Bill for keeping of the County Court at *Morpeth* for the County of *Northumberland* was brought in again by *M^r Treasurer* one of the Com-

Committees, who reported to the House, that the Committees thought good in the Bill after the word *Morpeth* in the 31th line of the same Bill, to have these words [or *Alnwick*] inserted and put in by the Lords.

The Amendments and Schedule in the Bill for the good Government of the City of *Westminster* were twice read, and committed to Mr Treasurer, Mr Recorder, Mr *Cromwell*, Mr *Grafton* and others, and the Bill was delivered to Mr Treasurer, who with the rest was appointed to meet this Afternoon in the Exchequer Court.

The Bill touching Apprentices was brought in again by Mr Attorney of the Wards, one of the Committees, who reported that he attended for the residue of the Committees yesterday at the place and time appointed, but that none of them came thither.

The Bill against Idle and Incontinent Life, and and for the punishment of Rogues and Vagabonds, was read the third time, and two Proviso's added unto it were twice read and Ordered to be ingrossed. Whereupon the said Bill and the Proviso passed upon the Question.

Mr. Attorney General and Mr. *Powle* did bring from the Lords a Bill for the paving of the Town of *New Windsor*, and a Message from their Lordships for present Conference with some of this House touching the Bill against fraudulent Conveyances, &c. before passed from this House unto them; with further Message from their Lordships, that their Lordships have sent sundry Bills to this House which are not returned unto them again, and therefore think that those Bills have not that ordinary course of reading and expedition which were requisite, and therefore do pray better speed in those Bills that are nearest and readiest to the course of passing, and then to deal with other Bills as their course shall require.

Mr. Vice-Chamberlain, Mr. Chancellor of the Exchequer, Mr. *Morrice*, Mr. Attorney of the Wards, Mr. Recorder of *London*, Mr. *Grafton* and Mr. *Alford* were appointed presently to repair to the Lords for Conference in the Bill against covenous and fraudulent Conveyances. And the Bill passed this House against the abuse of Corn and Grain, was sent up to their Lordships by the said Mr. Vice-Chamberlain and others. And the Bill likewise for the better and more reverent observing of the Sabbath day, fair written in Parchment according to the former Amendments and Additions therein of both Houses, with desire that the same new written Bill may be Examined by the former old Bill, and the Amendments and Additions therein of both Houses, according to the former Agreement of both the same Houses in that behalf, and so then to be passed in both Houses accordingly. *Vide* on *Thursday* the third day, *Saturday* the 5th day, *Monday* the 7th day, *Thursday* the 10th day, *Saturday* the 12th day, and on *Saturday* the 19th day of *December* foregoing; as also on *Monday*

the 22th day, and on *Tuesday* the 23th day of *February* preceding.

The Bill for increase of Pheasants and Partridges was upon the second reading committed unto Mr. Treasurer, Mr. Vice-Chamberlain, Sir *William Moore* and others, and the Bill was delivered to Mr. Treasurer, who with the rest was appointed to meet this Afternoon in the Exchequer Chamber.

The Amendments and Additions in the Bill for the preservation of Grain and Game, were read and committed to Sir *John Higham*, Mr. *William Staughton*, Mr. *Audeley*, Mr. *Topcliffe* and others, who were added to the former Committees for increase of Pheasants and Partridges, and made with them (as it seemeth) one Committee for both the foresaid Bills, being to meet as for the former this Afternoon in the same place.

The Amendments in the Bill that Parsonages Improprate may be disposed to godly and charitable uses were twice read, and were Ordered to be inserted in the Bill; which being so done, the same Amendment ingrossed was read and also passed upon the question.

Sir *Christopher Hatton* her Majesties Vice-Chamberlain returning from the Lords shewed, that he and the residue of the Committes of this House appointed to have Conference with their Lordships in the same Bill, and that their Lordships will presently send down the same Bill to this House with some Amendments as their said Lordships do think meet. And shewed further, that he and the residue moved their Lordships touching the foresaid new written Bill for the better and more reverent observing of the Sabbath day; and that thereupon their Lordships and the Committees of this House did examine the said new written Bill with the said old former Bill, and the Amendments and Additions of the same Bill, the said whole new Bill being read and found to agree without alteration or want of any one word, moved, that the said new written Bill may be passed presently, which was thereupon so done accordingly. *Vide de ista materia* on the day foregoing.

The Bill that was first read this day, and which was upon the reading thereof rejected, viz. the Bill touching slanderous Books and Libels was by Mr. Speakers Commandment delivered by the Clerk of the Parliament unto him in the Afternoon of the same day before the sitting of the House, and was he said, delivered over by him to Mr. Attorney General, with whom it seemeth it still remained.

Post Meridiem.

Mr *Wiseman* one of the Committees in the Bill for the establishing of an Award made between the Lord *Rich* and Sir *Thomas Barrington* Knight, brought in the Bill with an amendment of the alteration of one word only.

Four Bills of no great moment had each of them one reading; of which the last being the

Bill for Incorporation of the Hospital of Christ in the Town of *Sherburn* was upon the second reading committed unto Mr Chancellor of the Exchequer, Mr Recorder, Sir *Drew Drury* and others, and the Bill was delivered to Mr Recorder, who with the rest was appointed to meet to morrow in the Afternoon in the Exchequer Court.

On *Thursday* the 18th day of *March*, Seven Bill of no great moment had each of them one reading; of which one being the Bill that Lands, Tenements, &c. of Tellors, Receivors, &c. Shall be lyable to the payment of their debts was read the third time, and the amendment and Schedule annexed was also read the third time, and the Bill and all passed upon the question. And another being the Bill for the Inn-ing of *Erith* and *Plumstead*-Marsh was upon the second reading committed unto Mr. Treasurer, Mr Vice-Chamberlain and others, who were appointed to meet this Afternoon in the Exchequer Chamber.

Mr Treasurer one of the Committees in the Bill for the true making of Malt remembered the Committees to meet in the Exchequer Chamber this Afternoon.

The Bill for the better Execution of the Statute of the thirteenth of her Majesty for reformation of certain disorders in Ministers of the Church was read the first time.

Four Bills of no great moment were sent up to the Lords from the House of Commons; of which the second was the Bill, That the Lands, Tenements, &c. of Tellors, Receivors, &c. may be lyable, &c. And the last was the Bill for the better and more reverent observing of the Sabbath day. Which said Bills were sent up by Mr Vice-Chamberlain and others.

Mr. Serjeant *Rodes* and Mr. Doctor *Barkley* did bring from the Lords three Bills, viz. the Bill touching the breadth of Wollen-Cloths with some Amendments, which Bill before passed this House; The Bill against fraudulent means used to defeat Wardships, Liveries and Primer seifins, and the third was a Bill for the assurance of certain Lands to the Lord *Hunsdon*, with report touching that Bill, that *Robert Elrington* and *Alice* his Wife were present before the Lords and gave their consent to the passing of the Bill.

Nota, That the second of the said Bills is omitted in the Original Journal-Book of the Upper House through the negligence of the Clerk.

The Bill for preservation of Woods near the Town of *Crambrooke* in *Kent* was upon the second reading committed unto Sir *Philip Sidney*, Sir *Henry Nevill* and others, who were appointed to meet upon *Saturday* in the Afternoon in the open Exchequer Court.

Three Bills of no great moment had each of them one reading; of which the last being the Bill touching the Curriers of *London*, was upon the second reading committed unto Sir *Philip Sidney*, Sir *Henry Nevill*, Mr. *Rotheram* and o-

thers, and the Bill was delivered to Sir *William Moore* one of the said Committees, who with the rest was appointed to meet this Afternoon in the open Exchequer Court.

The Amendments and Schedule in the Bill for the good Government of the City of *Westminster*, were three times read and so passed upon the question.

On *Friday* the 19th day of *March* the Bill for the assurance of certain Lands to the Lord *Hunsdon*, was read the second time.

Mr. *Elrington* and *Alice* his Wife being brought to the Bar did there give their open assents to the passing of the said Bill.

Sir *William Moore* one of the Committees in the Bill for the Curriers, brought in the Bill with some Amendments, and declared further, that upon their Conference together they misliked much of many parts of the Bill, as to have persons made free of *London* by Act of Parliament, and that it should breed a very hard course and prejudicial precedent to all sorts of Artificers dwelling within three Miles of the City of *London*.

Mr. Treasurer one of the Committees in the Bill touching the true making of Malt shewed, that they have met but have done nothing in the same Bill, and so brought in the same Bill to be now read only for the reviving of the former Statute in that behalf without any Alteration or Addition, which Bill was then in that course so read accordingly, and the Amendment therein for the limitation of the continuance twice read, and so the Bill was Ordered to be ingrossed.

The Amendments in the Bill against Jesuits, Seminary Priests and such other disobedient Subjects being perfected according to the said Agreement of this House therein, were now upon the question likewise passed and assented unto accordingly.

Mr. Serjeant *Rodes* and Mr. Doctor *Barkley* did bring from the Lords the Bill against Covenous and fraudulent Conveyances returned with some Amendments.

Two Bills of no great moment had each of them one reading; of which the first being a Bill for the better Execution of the Statute of the thirteenth of her Majesties Reign for reformation of certain disorders in the Ministers of the Church, was upon the second reading committed unto Mr. Treasurer, Mr. Solicitor, Mr. Recorder and others, who were appointed to meet this Afternoon in the Exchequer Chamber.

The Amendments in the Bill touching the breadth of Wollen Cloths were read three times, and so the said Amendments passed upon the question.

The Bill against fraudulent means used to defeat Wardships, Liveries and primer seifins was upon the second reading committed unto Mr. Vice-Chamberlain, Mr. Chancellor of the Exchequer and others, who were appointed to meet this Afternoon in the Exchequer Chamber.

Mr. Serjeant *Rodes* and Mr. Doctor *Barkley* did bring

bring from the Lords the Bill for preservation of Timber in the County of *Surrey, Sussex* and *Kent* returned with some Amendments, and a request also from their Lordships, that some of this House may be appointed to have Conference with their Lordships at three of the Clock this Afternoon, touching a branch in the Bill for continuance of Statutes which concerneth the eating of Fish upon *Wednesday*. Whereupon were appointed thereunto all the Privy-Council, Mr. *Morrice*, Sir *William Moore*, Sir *Thomas Heneage*, Sir *Henry Cock*, Mr. *Cromwell*, Mr. Recorder and others.

Two Bills of no great moment had each of them one reading; of which the first being the Bill for the perfecting of assurances was read the third time and stayed from the question till to Morrow.

On *Saturday* the 20th day of *March*, Three Bills of no great moment had each of them one reading; of which the second being the Bill for the better imploying of Lands, Tenements, &c. to the repairing of Highways and for the relief of the Poor, had its third reading, and was rejected upon the question.

The Amendments in the Bill against Moor-burning were twice read and agreed to be inserted in the ingrossed Bill, and being so presently inserted was read the third time and passed upon the question.

The Amendments in the Bill against Covenous and fraudulent Conveyances were twice read and agreed unto by the House, and Ordered to be ingrossed in the Bill accordingly.

Mr. Chancellor of the Exchequer one of the Committees in the Bill for the Inning of *Erith* and *Plumstead*-Marsh, and in the Bill for the incorporation of the Hospital of *Eastbridge*, brought in the same Bill with some Amendments.

Mr. Treasurer one of the Committees in the Bill for the better Execution of the Statute of the thirteenth of her Majesty for reformation of disorders of Ministers of the Church, brought in the old Bill and also a new Bill, praying, that the said new Bill may be read, which was thereupon twice read and Ordered upon the question to be ingrossed.

There were sent up to the Lords from the House of Commons nine Bills by Mr. Treasurer and others, of which the last was the Bill for *Chichester*-Haven.

The Amendments in the Bill for the Inning of *Erith* and *Plumstead*-Marsh were thrice read and agreed upon by the House to be passed with the Bill, and Mr. *Baptist* on the one part, with one *Jacob Seal* on the other part, were heard in the House, and after their departure out again the House did offer some Speeches and Motions in the matter, but did rise without any resolutions therein. *Vide March 24. postea.*

On *Monday* the 22th day of *March*, the Bill for the draining of Fens, Marshes, &c. was upon the second reading committed unto Mr. Chancellor of the Exchequer, Sir *Richard Knightley*,

Mr. *John North* and others, who were appointed to meet to Morrow in the Afternoon in the Exchequer Chamber.

The Bill against excessive Fees and Taxations in Ecclesiastical Courts, was upon the second reading committed unto Mr. *Beale*, Mr. *Strickland*, Mr. *Thomson*, Sir *William Herbert*, Mr. *Morris* and others, who were appointed to meet this Afternoon in the Exchequer Chamber.

The Bill for perfecting of Assurances after sundry Arguments was read the fourth time, and again after the same reading thereof the Bill was referred to the Conference of the former Committees, as also of Mr. *Owen*, Mr. *Shirley*, Mr. *Dalton* and Mr. *David Williams* to meet this Afternoon in the Exchequer Chamber, to confer this Bill with that against Covenous and fraudulent Conveyances together, and afterwards further to inform this House.

Mr. Serjeant *Rodes* and Mr. Doctor *Barkley* did bring from the Lords three Bills, viz. The Bill with one only word amended touching Artificers using the Cutting of Leather, which before passed in this House; the Bill with some Amendments and Additions for reformation of errors in Fines and Recoveries in the twelve Shires of *Wales* and Counties Palatine; and a Bill to provide remedy for her Majesties Wardships, Liveries and primer seizins in certain Cases.

And they also shewed that their Lordships did desire present Conference with half a dozen of this House touching the good Government of the City of *Westminster*. Whereupon were presently appointed Mr. Treasurer, Mr. *Robert Cecill*, Mr. Recorder, Mr. *Cromwell*, Mr. *Wroth*, Mr. *Owen* and Mr. *Morrice*, who returning from their Lordships shewed, that their Lordships do not very well allow of the Addition of this House in the said Bill to restrain the Liberty and Jurisdiction of the Dean of *Westminster*, as well in his own Liberty as in his Government of the Prebendaries and Ministers of the Church there, and so he thinketh their Lordships will add something to that purpose to the Additions of this House.

The second Proviso to the Bill for incorporation of the Hospital of *Christ* in the Town of *Sherborn* was twice read and Ordered to be ingrossed.

The Bill for the Execution of the Statute of the thirteenth of the Queens Majesty, for reformation of certain disorders in the Ministers of the Church, was read the third time, and after many Arguments passed upon the question.

On *Tuesday* the 23th day of *March*, Mr. Attorney of the Wards one of the Committees in the Bill to provide remedy against fraudulent means used to defeat Wardships, Liveries and primer seizins, brought in the same Bill again, which had this day its first reading.

Mr. *Morrice* one of the Committees in the Bill for perfecting of Assurances brought in the same; And also the Bill against Covenous and fraudulent Conveyances, and also a new Bill.

The Amendments in the Bill touching the taking

king of Apprentices were twice read, and Committed to the former Committees, and to Mr. *Williams*, Mr. *Hare*, Mr. *Cromwell*, Mr. *Wroth*, Mr. *Cole* and Mr. *Prowse*; and the Bill was delivered to Mr. *Wroth*, who with the rest was appointed to meet upon *Thursday* next in the Afternoon in the *Middle-Temple* Hall.

Mr Vice-Chamberlain one of the Committees in the Bill against defeating of Wardships, Liveries and primer Seifins, Shewed, that the Committees have travailed and for some things by them thought requisite to be amended do think (if this House shall so like.) That some of the same Committees may pray Conference with the Lords therein. Whereupon it was agreed, that the said former Committees, or some convenient number of them may so do. And then Four Bills of no great Moment were sent up to the Lords by Mr Vice-Chamberlain and others; of which the last was the Bill for the Paving of the Town of *New-Windsor* in the County of *Berks*.

Three Bills of no great moment had each of them one reading; of which the first being the Bill for incorporation of the Hospital of Christ in the Town of *Sherborn* neer *Durham* was read the third time and passed upon the Question.

The Amendments in the Bill for disarming of Recusants were twice read, and the Bill Ordered to be ingrossed.

Upon further Arguments and Motions had touching the proceeding in the Bill for the Inning of *Erith* and *Plumstead* Marsh, it was agreed, that Mr *Smith*, Mr *Baptist*, Mr *Toungue* and *Roger James* be warned by the Serjeant of this House to be here to morrow Morning, that upon some Conference to be had with them by this House, the said Bill may the better proceed to the passing.

On *Wednesday* the Twenty fourth day of *March*, Four Bills of no great moment had each of them one reading; of which the first being the Bill for the true payment of the Debts of *Philip Bassett* Esquire, was upon the second reading Committed unto Mr Vice-Chamberlain, Mr Chancellor, Sir *Richard Knightley*, Mr *Digby* and others, and the Bill was delivered to Mr Vice-Chamberlain: all these to meet to morrow in the Afternoon in the Exchequer Chamber.

And the second being the Bill for suppressing of Pirates and Piracy was upon the second reading Committed unto Mr Treasurer, Sir *Drew Drewrie*, Sir *Nicholas Woodruff*, Mr *Richard Brown*, Mr Doctor *Fletcher* and others, who were appointed to meet on *Saturday* next in the Afternoon in the Exchequer Chamber.

The Amendments and Additions in the Bill for reformation of Errors in Fines and Common recoveries in the twelve Shires of *Wales* and Counties Palatine, were read Three times and passed accordingly.

Mr Serjeant *Rodes* and Mr Doctor *Barkely* did bring from the Lords word, that their Lordships do presently desire Conference with some

of this House touching the Bill for Continuance of Statutes.

The Bill for the incorporation of the Hospital of Christ in the Town of *Sherborn* near *Durham* with two others of no great moment were sent up to the Lords by Mr Treasurer and others, who were also appointed to attend the Lords in the Conference touching the Bill for continuance of Statutes according to their Lordships requests.

Mr Vice-Chancellor of the Exchequer one of the Committees in the Bill against frauds used in defeating of Wardships, Liveries and primer Seifins, shewed, that they have met and travailed in the same Bill, and have thought good to make a new Bill; but yet nevertheless not meaning to impeach the old Bill coming from the Lords; and that the said new Bill (he said) he thought was not so sufficiently considered of by the said Committees, but that it requireth further consideration amongst them; praying notwithstanding a present reading of the said Bill. Which was thereupon so read accordingly, Mr *Grafton* one of the Committees in the Bill for preservation of Woods near *Crambrook* in *Kent*, brought in the Bill again.

Two Bills of no great moment had each of them one reading; of which the first being the Bill for the true payment of Tythes was read the Third time, and after many long Arguments dashed upon the Question.

Mr Chancellor of the Exchequer returning from the Lords shewed, that this morning as he came to this House he found Mr *Baptist*, Mr *Customer Smith*, and the Solicitor of *Jacob Seal*, who were all of them agreed to such Conditions of recompence and consideration to be had towards the said *Jacob*, as that the Bill may with their liking be read to the passing; whereupon the Amendments. same But that which should here follow is through the negligence of the Clerk wholly omitted; yet it may seem, as may be Collected out of a former passage of this business, on *Tuesday* the 23^d day of this instant *March* foregoing, that this Bill here mentioned by Sir *Walter Mildmay* Chancellor of the Exchequer, was the Bill touching the Inning of *Erith* and *Plumstead* Marsh; and that the Amendments of the same Bill which had been formerly thrice read on *Saturday* the 20th day of this instant *March*, did at this time pass the House.

Mr Treasurer and the residue returning from the Lords, Mr Treasurer shewed, that the cause for which their Lordships desired conference was, that in respect of the great experienced benefit grown to increase of the Navy and Mariners of this Realm by the late Law for eating of Fish upon *Wednesdays*, their Lordships wished a Provision to be made for the eating of Fish and no flesh at all hereafter upon the *Wednesday* in all places of this Realm Twenty five miles distant from the Sea, and also in the Cities of *London*, *York* and *Bristol*, and in all places of this Realm within

within five miles of the said Cities. Whereunto he said, as he and the residue could say nothing, because they knew not the pleasure of this House therein; so he said he thought their Lordships Additions in the Bill passed this House unto the Lords for the good Government of the City of *Westminster*, did seek too much to abridge the Dean of *Westminster* being the Lord of the said Borough, in his Liberty and Jurisdiction of his own House and Servants, and of the Prebendaries and other Churchmen and their Servants, being all under his own peculiar government: And also that he thought their Lordships could likewise help the same again with some Amendment to the Amendments of this House in the same Bill to be sent down hither and assented unto by this House.

On *Thursday* the 25th day of *March*, *Thomas Partrick* being brought to the Bar for serving a *Subpœna* upon *Mr Cook* a Member of this House during the time of this present Session of Parliament, in the behalf and at the Suit of *Margery Dike*, was ordered upon his Submission to deliver a Copy of the Bill to *Mr Cook gratis*, to give him Twenty Shillings for the Charge of his answer, and to pay the Serjeants Fees.

Roger Vanconge a Dutchman and Merchant Stanger being this day brought by the Serjeant to the Bar for Arresting of *John Werrall* Servant unto *Thomas Powell Esq;* a Member of this House, for Debt, and carrying him into the Counter of *Woodstreet* in *London*; And the said *John Werrall* being also brought to this House, it was after several Examinations had by this House as well of the said *Roger Vanconge*, as of the said *John Werrall*, at last after many long Motions and Arguments upon the circumstances falling out in the said Examinations resolved, after the doubtfulness of the greater Number of Voices upon the Question, by the Division of the House, That the said *John Werrall* should not have privilege of this House, but should first openly in the House take Oath against the Supremacy of the Bishop of *Rome*, and then be remanded to the said Prison of the Counter again in state as he was before, which was so done accordingly, for that it did manifestly appear unto this House as well by the Confession of the same *Werrall*, as also by the confession and by a Letter of his own subscribed with his own hand (and so confessed by himself) directed to one *Dakings*, that fraudulently and Covenously he procured himself to be received into the Service of the said *Mr Powell* this Parliament time to escape from Arrests, to the delaying and defeating of his Creditors; upon which dividing of the House there were with the Yea or I eighty five Voices, and with the No but sixty nine.

Mr Vice-Chamberlain one of the Committees in the Bill touching Wards and Liveries, brought in the Bill again with some Amendments, and referred the same Amendments to the further reading of the Bill; which Bill was then read accordingly, and the Amendments

twice read, and the Bill was Ordered to be Ingrossed.

Mr Chancellor of the Exchequer one of the Committees in the Bill touching draining of Fenns brought in the Bill again, as a Bill thought good by the same Committees to be reserved till the next Parliament, and to be left in the House for that purpose.

On *Friday* the 26th day of *March* the Amendments and Additions in the Bill for preservation of Woods near unto the Town of *Crambrook* in the County of *Kent* was upon the second reading Ordered to be committed again to the former Committees.

The Bill for naturalizing of certain *English* mens Children born beyond the Seas was upon the third reading passed.

Mr Wroth one of the Committees in the Bill for the increase of Pheasants and Partridges brought in the Bill again with some Amendments, and the same Amendments being twice read the Bill was again after sundry speeches and Arguments committed to the former Committees.

Mr Serjeant Rodes and *Mr Powle* did bring from the Lords two Bills; of which one was the Bill for the good Government of the City of *Westminster*.

Mr Chancellor of the Exchequer one of the Committees in the Bill for the true payment of the Debts of *Philip Bassett Esquire*, brought in the Bill again as a Bill agreed by them to be reserved until the next Parliament.

Six Bills of no great moment had each of them one reading, and were sent up to the Lords from the House of Commons; of which one was the Bill (with the Amendments) for the keeping of the County Court at *Morpeth* and the Town of *Alnwick* in the County of *Northumberland*; and another Bill being for the safe keeping of obstinate Recusants Armour was sent back again unto the said House from their Lordships (who gave it presently three readings) by Serjeant *Rodes* and *Mr Powle*.

The Bill touching Wardships and Liveries was read the third time and dashed upon the question, there being but seventy five Voices for it and ninety five against it.

The Bill for the good Government of the City of *Westminster* with the Amendments according to the last Additions was sent up to the Lords by *Mr Treasurer* and others.

Mr William Stoughton one of the Committees in the Bill against Excessive Fees and taxations in the Ecclesiastical Courts, brought in the Bill again.

On *Saturday* the 27th day of *March*, after the Letany was read and the prayers ended, *Mr. Speaker* signified unto the House that her Majesties Commandment was, that this House do not sit this present day, but do assemble here again on *Monday* next in the Forenoon, at which time they shall then know her Majesties further pleasure.

On *Monday* the 29th day of *March* M^r Serjeant *Rodes* and Mr. Doctor *Barkeley* did bring from the Lords the Bill for the maintenance of the Pier and Cobb of *Lime Regis* in the County of *Dorset* with some Amendments.

The Bill for increase of Pheasants and Partridges was twice read, and the Amendments thereof thrice, and then it was put to the Question whether or no the said Bill with the Amendments should pass; And it was found that there were one hundred and thirteen Voices for the passing of the Bill, and but seventy five against it.

The Amendments and Schedule in the Bill for the maintenance of the Pier and Cobb of *Lime Regis* were thrice read, and so passed accordingly upon the Question.

The Amendments also in the Bill for the safe keeping of the Armour of obstinate Recusants were thrice read and passed upon the Question.

Post Meridiem.

Three Bills of no great moment were sent up to the Lords from the House of Commons by Mr. Treasurer and others; of which the first was the Bill touching the Armour of obstinate Recusants, and is omitted in the Original Journal-Book of the Upper House; but the other two touching

Pheasants and Partridges with their Amendments, and touching the Pier and Cobb of *Lime Regis*, are there set down to have been sent up as aforesaid.

M^r Serjeant *Gawdy* and M^r Serjeant *Rodes* did bring down from the Lords to the House of Commons the Bill of Subsidy (which is omitted in the Original Journal-Book of the Upper House) and the Bill for her Majesties Gracious, general and free Pardon; which being once read passed upon the Question accordingly.

Her Majesty with divers of the Lords Spiritual and Temporal being set in the Upper House about of the Clock this Afternoon; the Knights, Citizens and Burgeses of the House of Commons had notice thereof, and thereupon repaired thither with *John Puckering* Serjeant at Law their Speaker, who being placed at the Rail or Bar at the lower end of the said Upper House, did according to the usual form humbly crave her Majesties most Royal Assent to such good Laws as had passed the two Houses. Whereupon her Majesty having by her Assent given Life to thirty publick Acts and nineteen private, the Parliament was Prorogued unto the 20th day of *May* next ensuing, and at last after five other Prorogations it was Dissolved upon *Wednesday* the 15th day of *September* Anno 28 *Regin. Eliz. Anno Domini* 1586.

THE JOURNAL OF THE House of LORDS.

An Exact and perfect Journal of the Passages of the Upper House in the Parliament holden at Westminster, Anno 28 Reginæ Eliz. Anno Domini 1586. which began there on Saturday the 29th Day of October (after two Several Prorogations thereof) and then and there continued until it was at length Dissolved on Thursday the 23th Day of March, Anno 29 Reginæ ejusdem.

THE Journal of this Parliament both in respect of the greatness of the matter handled in it, being the business of *Mary Queen of Scots*, as also of the many rare Precedents which happened in the Carriage of it, the Queens Person being represented and the Lord Chancellors place supplied by others, with the Adjournment and re-assembling again of the same, somewhat extraordinary, is and ought to be esteemed most worthy of observation. And it is most plain that this Parliament was at the first (beyond the Queens own expectation) summoned and afterwards Assembled upon no other cause or ground than the timely and strange discovery of that bloody and merciless Treason Plotted by *Babington* and others for the violent cutting off her Majesties life, of which *Mary Queen of Scots* had been first by a most Just and Honourable Tryal fully Convicted, and afterwards Judicially pronounced to have been in a high nature guilty. But yet her Majesty not satisfied with her so just a Tryal and Attainder, assembled the Parliament on purpose, that so all those former proceedings how just so ever might be further Committed and referred to the impartial examination and final Judgment of the whole Realm. And that this great Council of the Kingdom was merely

called together at this time about this business is most plain, because the last Prorogation of this former Parliament holden in *Anno 27 Regin. Eliz. Anno Dom. 1584.* was from the 26th day of April *Anno 28 Regin. Eliz. Anno Dom. 1586.* unto the 14th day of November then next ensuing: But long before the said day the former Conspiracy being discovered about the latter end of July in *Anno eodem*, the former Parliament was dissolved on Wednesday the fourteenth day of September following, in the 28th year of her Majesty; And this new one Assembled on Saturday the 29th day of October immediately after ensuing: At which time the Queen came not to the Upper House in Person, but was represented by three Commissioners; not as her Majesty afterward professed, because she feared the Violence of any Assassinate; but because she abhorred to be an hearer of so foul, and unnatural a conspiracy plotted against her by the *Scottish Queen*, a Kinswoman so near to her Highness; Yet by this means her absence doubtless drew on the greater safety; and her Loving and Loyal Subjects did the more clearly perceive in how great and unavoidable danger she stood as long as that Queen lived, and were therefore doubtless stirred up to consult in this so important a Cause with the greater Zeal and earnestness for the preservation of Religion, the Security of her Majesties Life, and the safety of these

Vide de tota illa materia in Annal Eliz. à Guliel. Camd. script. edit Lugdun. Batav. An. Dom. 1625. à pagin. 432. ad pagin. 472.

Gul. Camd. in Annal. Eliz. supradictatis pag. 468. - lincis 1, 2, 3.

these Realms. Which matters the Lords of the Upper House did so seriously intend, as that in this first meeting in this present Parliament, which lasted from the foresaid 29th day of *October* being *Saturday*, unto the second day of *December* next following being *Friday*, it appeareth not in the Original Journal-Book of the Upper House, that any one Bill publick or private was read, or so much as once treated of.

This Parliament was summoned to have begun on *Saturday* the 15th day of *October* Anno 28 *Regin. Eliz.* at which said day her Highness for great and weighty causes and Considerations her thereunto especially moving, did prolong and adjourn the said Parliament unto *Thursday* being the 27th day of the said Month of *October*, by vertue of a Writ under the Great Seal dated the eighth day of this present *October*; whereupon on the said 15th day of *October* the Archbishop of *Canterbury* with divers other Lords and Councillors repaired to the Parliament Chamber commonly called the Upper House, and there in presence of divers Lords Spiritual and Temporal the Knights, Citizens and Burgeffes summoned to the same Parliament did declare her Highnesses pleasure to Prorogue the same Parliament from this first summoned day until the 27th of the said Month, and thereupon the Writ for the said Prorogation was publickly read by the Clerk of the Upper House.

Upon the said 27th day of *October* Sir *Thomas Bromley* Knight Lord Chancellor of *England*, and divers Lords with a good number of the House of Commons met again in the Parliament Chamber, and did again Prorogue this present Parliament after the usual and accustomed form unto the *Saturday* next following, being the 29th day of this present *October*.

On which said 29th day of *October* the Parliament held accordingly, and the Lords in the Afternoon repaired to the Upper House, and there placed themselves according to their several Degrees; Upon which the Knights, Citizens and Burgeffes having notice that the Lords expected their presence, repaired to the said House, and being let in as many as could conveniently, Sir *Thomas Bromley* the Lord Chancellor declared unto the whole Assembly, that her Majesty was so hindred by great and urgent occasions as she could not be present, yet had notwithstanding given full Authority to Three Members of the Upper House in her Majesties name and stead to begin the said Parliament. Whose names are entred in the Original Journal-Book of this Parliament in manner and form following.

Regina representata per Commissionarios, viz.

Archiepiscopum Cantuariensem.
Dominum *Burleigh* Thesaurarium, &
Comitem *Darbie* Magnum Seneschallum.

All the Lords then present were these following.

Archiepiscopus *Cantuarien.*
Thomas Bromley Miles Dominus Cancellarius.
Archiepiscopus *Eboracen.*
Dominus *Burleigh.*
Dominus Thesaurarius *Anglie.*

Comites.

Comes *Oxon* Magnus Camerarius.
Comes *Kantiae.*
Comes *Darbie* Magnus Seneschallus.
Comes *Wigorn.*
Comes *Rutland.*
Comes *Cumberland.*
Comes *Suffex.*
Comes *Pembrook.*
Comes *Hartford.*
Comes *Lincoln.*
Vicecomes *Mountague.*

Episcopi.

Episcopus *London.*
Episcopus *Dunelmen.*
Episcopus *Winton.*
Episcopus *Bathon. & Wellen.*
Episcopus *Sarisburien.*
Episcopus *Roffen.*
Episcopus *Exon.*
Episcopus *Cestren.*

Barones.

Dominus *Howard* Admirallus.
Dominus *Aburgavenny.*
Dominus *Zouch.*
Dominus *Barkley.*
Dominus *Morley.*
Dominus *Dacres.*
Dominus *Cobham.*
Dominus *Stafford.*
Dominus *Grey de Wilton.*
Dominus *Lumley.*
Dominus *Stourton.*
Dominus *Darcie.*
Dominus *Sandes.*
Dominus *Windsor.*
Dominus *Wentworth.*
Dominus *Borough.*
Dominus *Cromwell.*
Dominus *Evers.*
Dominus *Rich.*
Dominus *Willoughby de Parham.*
Dominus *Darcie de Chiche.*
Dominus *Shandois.*
Dominus *St John.*
Dominus *Buckhurst.*
Dominus *Delaware.*
Dominus *Compton.*
Dominus *Cheney.*
Dominus *Norris.*

The Lords being all set in this Order in their Parliament-Robes, and the Judges placed, with other Attendants and Assistants of the Upper House, being also before the said Lords Commissioners had taken their places on the right side of the Chair of State, the Lord Chancellor shewed forth the Queens Majesties Letters Patents, by which She committed full Power to the Archbishop of Canterbury, the Lord Burleigh Lord Treasurer of England, and the Earl of Darby, to supply her place in the said Parliament, which were as followeth: viz.

Hodie cum omnes Proceres Robis Parliamentaribus induti in suo Loco quisque sederent, & Milites, Cives & Burgenses qui ad hoc præsens Parliamentum summoniti fuerunt, præsto essent, & jam universi tam Proceres quam Communes Reginae adventum expectarent; Thomas Bromley Miles Dominus Cancellarius exponit omnibus, Regiam Majestatem maximis & urgentissimis causis a se esse impeditam, ut non queat impræsentiæ commodè interesse ut decreverat. Nihilominus inquit, sua Majestas Literis suis Patentibus plenam potestatem commisit Reverendissimo in Christo Patri Johanni Cantuar. Archiepiscopo totius Angliæ Primati & Metropolitano, ac prædilecto & fideli suo Willielmo Domino de Burleigh Domino Thesaurario Angliæ, ac charissimo Consanguineo suo Henrico Comiti Darbiæ, ad faciend. nomine suo omnia & singula quæ in dicto Parlamento gerenda essent; ut per easdem Literas Patentes plenius apparet, quas hiis dictis Dominus Cancellarius Clerico Parliamentar. publicè legendas tradidit. Earum autem tenor sequitur in hæc verba.

ELizabetha Dei gratiâ Angliæ, Franciæ & Hiberniæ Regina, fidei Defensor, &c. Omnibus ad quos præsentis Literæ pervenerint, Salutem. Sciat is quod cum de advisamento Concilii nostri pro quibusdam arduis & urgentibus negotiis nos, statum & defensionem Regni nostri Angliæ ac Ecclesiæ Anglicanæ concernen. quoddam Parliamentum nostrum apud Civitatem nostram Westmonaster. 29^o die instant. mensis Octobris teneri ordinavimus; quia verò propter certas causas ad Parliamentum prædictum non potuerimus interesse, nos de circumspèctione, fidelitate & industria Reverendissimi in Christo Patris Johannis Cantuar. Archiepiscopi totius Angliæ Primat. & Metropolitan. ac prædilecti & fidelis nostri Willielmi Domini de Burleigh Domini Thesaurarii Angliæ, ac charissimi Consanguinei nostri Henrici Comitis Darbiæ, plenam fiduciam reportand. eisdem Archiepiscopo, Willielmo Domino de Burleigh & Henrico Comiti Darbiæ, & duobus eorum ad Parliamentum prædictum nomine meo inchoand. & tenend. negotiaq; prædict. exponend. & declarand. ac exponi & declarari faciend. necnon in negotiis illis & Parlamento prædicto, ac omnibus & singulis in eo procedend. & ad faciend. omnia & singula quæ pro nobis & per nos pro bono regimine & gubernatione prædicti Regni nostri Angliæ ac aliorum Dominiorum nostrorum eidem Regno nostro pertinen. ibid. fuerint

faciend. necnon ad Parliamentum illud, si necesse fuerit, continuand. adjournand. & prorogand. de assensu Concilii nostri prædicti plenam tenore præsentium committimus prætatem. Dantes ulterius de assensu ejusdem Concilii nostri tam universis & singulis Archiepiscopis, Episcopis, Comitibus, Vicecomitibus, Baronibus & Militibus quàm omnibus aliis quorum interest ad Parliamentum nostrum prædictum convenitur. similiter tenore præsentium firmiter in Mandatis, Quod eisdem Archiepiscopo, Willielmo Domino Burleigh, & Henrico Comiti Darbiæ, & duobus eorum intendant in præmissis in forma prædicta. In cujus rei testimonium has Literas nostras fieri fecimus Patentes. Teste meipsa apud Westmonasterium vicesimo octavo die Octobris, Anno Regni nostri vicesimo octavo.

Per ipsam Reginam, &c.

The Letters Patents foregoing being read, the said three Lords Commissioners leaving their own places, went to a Seat prepared for them on the right side of the Chair of State beneath the steps. Then the said Lord Chancellor going first to the said Lords, and conferring a while with them, went to his accustomed place, and there made intimation of the Cause of this present Summons of Parliament; which, as he said, were no usual Causes, not for making of Laws, whereof her Majesty thought there were more made than were duly executed, nor for Fifteenths and Subsidies, although there were some cause; yet her Majesty would not charge her loving Subjects so far at this time: But that the cause was rare and extraordinary, of great weight, great peril, and dangerous consequence. Then he declared, what dangerous practices had been contrived of late, and how miraculously the Providence of God had by discovery thereof, beyond all humane Policy, preserved her Majesty, the destruction of whose Sacred Person was most traiterously compassed and imagined. Here he shewed what misery the loss of so Noble a Queen would have brought to all Estates; and said, That although some of them had suffered according to their demerits, yet one remained that by due course of Law had received her Sentence, which was the chief cause of this Assembly, and wherein her Majesty required their faithful advice; and therefore, said he, you may orderly proceed therein. And you of the House of Commons are to make present choice of some one amongst you to be your Speaker, and to present him unto the Lords Lieutenants as soon as conveniently you may.

As soon as the Lord Chancellor had ended his Speech, the Clerk of the Parliament stood up and read the Names of the Receivors and Tryors of Petitions in French, which were as followeth.

Receivors of Petitions for England, Ireland, France and Scotland, Sir Christopher Wray Knight Lord Chief Justice, Sir Gilbert Gerrard Knight Master of the Rolls, Sir Thomas Gawdy Knight one of the Justices of Doctor Amberry and Doctor Ford.

Receivors of Petitions for Gascoigne and other
C c c Lands

Lands and Countries beyond the Seas, and of the Isles, Sir *Edmund Anderson* Knight Lord Chief Justice of the Common Pleas, Sir *Roger Manwood* Knight Lord Chief Baron, *Francis Windham* one of the Justices of Doctor *Barkeley* and Doctor *Cary*.

Tryors of Petitions for *England, Ireland, Wales* and *Scotland*, the Archbishop of *Canterbury*, the Earl of *Darby* Lord High Steward of *England*, the Earl of *Rutland*, the Earl of *Essex*, the Bishop of *London*, the Bishop of *Winchester*, the Bishop of *Salisbury*, the Lord *Howard of Effingham* Lord High Admiral of *England*, the Lord *Cobham*, the Lord *Grey of Wilton*.

Tryors of Petitions for *Gascoigne* and other Lands and Countries beyond the Seas and of the Isles, the Archbishop of *York*, the Earl of *Oxford* great Chamberlain of *England*, the Earl of *Warwick*, the Earl of *Pembroke*, the Bishop of *Durham*, the Bishop of *Lincoln*, the Bishop of *Rocheſter*, the Lord *Hunsdon* Chamberlain to the Queen, the Lord *Lumley*, and the Lord *Buckhurst*.

Aſſoon as the Clerk of the Parliament had read theſe Names, and had likewise ended other things of courſe belonging unto them, *viz.* That the firſt Tryors of *England*, &c. or any four of them, calling unto them the Lord Chancellor and the Lord Treafurer, and alſo the Queens Serjeants, ſhould at their leiſure meet together in the Chamberlains Chamber: And that the laſt Tryors of *Gascoigne*, &c. or any four of them, calling unto them the Queens Serjeants and the Queens Attorney and Sollicitor, ſhould hold their place when their leiſure did ſerve them to meet in the Treafurers Chamber. Then the Lords Lieutenants adjourned the Parliament until *Monday* next following.

This day were divers Proxies returned, of which the Extraordinary ones were theſe that follow.

29^o die Octobris introductæ ſunt Literæ procuratoriæ Marmad. Episcopi Meneven. in quibus Procuratores ſuos conſtituit Johannem Archiepiſcopum Cantuar. Johannem Episcopum London, & Thomam Episcopum Wintonien.

Item introductæ ſunt Literæ procuratoriæ Willielmi Episcopi Ceſtren. in quibus Procuratorem ſuum conſtituit Johannem Episcopum Cantuarien.

Item introductæ ſunt Literæ procuratoriæ Hugonis Episcopi Bangor. in quibus Procuratores ſuos conſtituit Johannem Episcopum Cantuarien. & Willielmum Dominum Burleigh Theſaurarium.

Item introductæ ſunt Literæ procuratoriæ Johannis Episcopi Carliolen. in quibus Procuratorem ſuum conſtituit Edwinum Archiepiſcopum Ebor.

Nota, That theſe were all the Extraordinary or uſual Proxies that are entred in the Original Journal-Book of the Upper Houſe to have been returned this Parliament: For whereas the Spiritual Lords do for the moſt part conſtitute two Proctors, and the Temporal Lords but one, and thoſe likewise of their own Order, here the Biſhop of *St Davids* nominated three, the Biſhops

of *Cheſter* and *Carliffe* but one apiece, and the Biſhop of *Bangor* did conſtitute the Lord *Burleigh* Lord Treafurer of *England* his Joynt Proctor with *John* Biſhop of *Canterbury*, which I take to be the only Precedent with two others in *Anno 5 Eliz.* during all the Parliaments of Queen *Elizabeth's* Reign, where a Spiritual Lord did nominate a Temporal for his Proctor, or a Temporal Lord a Spiritual, although in the Reign of Queen *Mary* and other times more ancient it was very uſual and ordinary.

On *Monday* the 31th of *October* her Majeſties Perſon was repreſented (as it had been on the firſt day of this Parliament) by three Commiſſioners, *viz.* the Archbishop of *Canterbury*, the Lord *Burleigh* Lord Treafurer of *England*, and the Earl of *Darby* great Steward of *England*, who were ſtiled the Lords Lieutenants.

Theſe with divers other Lords, both Spiritual and Temporal, being ſet in their Parliamentary Robes in the Upper Houſe, the Knights, Citizens and Burgeſſes of the Houſe of Commons had notice thereof, and thereupon with *John Puckering* Serjeant at Law (who had been Speaker alſo the laſt Parliament) their now Prolocutor repaired thither; and being (as many as conveniently could) let in, the ſaid Mr Speaker was led up by two of the moſt eminent Perſonages of the Houſe of Commons to the Rail or Bar at the lower end of the ſaid Upper Houſe, who being there placed, and having, according to the uſual courſe, deſired himſelf to be excuſed, that ſo the Houſe of Commons might make choice of ſome other more able Member amongſt themſelves, it was not allowed, but his former wiſe and diſcreet behaviour the laſt Parliament in the Execution of this very place was alledged and much commended.

Whereupon the ſaid Mr Speaker having made humble reverence and in very diſcreet and good manner, ſubmitted himſelf to the undertaking of the ſaid Prolocutorſhip, did in the end of his Speech make divers petitions of courſe for freedom of Speech, freedom of Acceſs to her Majeſty, and freedom from Arreſts and Suits in the Name of the Houſe of Commons; and laſtly for pardon for himſelf, if he ſhould unwittingly erre in the report or carriage of any thing. Whereunto the Lords Commiſſioners by the Lord Chancellor answered, That the ſaid Houſe of Commons and himſelf ſhould enjoy and uſe ſuch Priviledges as others in the times of the Queen her Noble Progenitors had accuſtomed to uſe and enjoy.

Nota, That it doth not appear by the Original Journal-Book of the Upper Houſe, whether the Speaker were preſented in the Forenoon or in the Afternoon.

Dominus Cancellarius continuavit præſens Parliamentum uſq; in diem Veneris prox. horâ octavâ.

On *Friday* the 4th day of *November* the Lords Spiritual and Temporal being Aſſembled, the Lord Chancellor continued the Parliament unto the next day at eight of the Clock.

On

On *Saturday* the 5th day of *November* the Lord Chancellor declared unto the Lords the foul and indireet dealings practised by the Queen of *Scots* against her Majesty and the whole Realm, notwithstanding so many great benefits and favours which the said Queen of *Scots* had received of her Majesty; the which matter by *William* Lord *Burleigh* Lord Treasurer of *England*, as one unto whom the said Queen of *Scots* whole proceedings were better known by reason of his long Service done unto our most gracious Sovereign Lady since the beginning of her Reign, were more fully dilated.

Dominus Cancellarius continuavit præsens Parliamentum usq; in diem Lunæ horâ octavâ.

On *Monday* the 7th day of *November* while the Lords were debating the matter of the Queen of *Scots*, the House of Commons came up and desired a Conference with some of the Lords of this House, what number it should please them to appoint, about the great matter of the Queen of *Scots* already opened unto them. Whereupon the Lords chose out to the number of twenty one, viz. the Archbishops of *Canterbury* and *York*, the Lord Treasurer, the Lord Steward, the Earl of *Northumberland*, the Earl of *Kent*, the Earl of *Rutland* and the Earl of *Suffex*: the Bishop of *London*, the Bishop of *Durham*, the Bishop of *Winchester* and the Bishop of *Worcester*; the Lord Admiral, the Lord Chamberlain, the Lord *Cobham*, the Lord *Grey*, the Lord *Lumley*, the Lord *Shandois*, the Lord *Buckhurst*, the Lord *de la Ware* and the Lord *Norris*.

Dominus Cancellarius continuavit præsens Parliamentum usq; in diem crastinum horâ nonâ.

On *Tuesday* the 8th day of *November* nothing was done, but the Parliament was by the Lord Chancellor continued usq; in diem crastinum horâ nonâ.

On *Wednesday* the 9th day of *November* were read divers Letters as well of *Anthony Babington* to the Queen of *Scots*, as of the said Queen of *Scots* to the said *Anthony Babington*, *Charles Paget* and others.

The Sentence also pronounced by the Commissioners against the Queen of *Scots* was read.

A form of a Petition agreed upon by the Committees of both Houses was read.

Dominus Cancellarius continuavit præsens Parliamentum usq; in diem crastinum horâ nonâ.

On *Thursday* the 10th day of *November* the Lords Committees made report unto the whole House, that they of the House of Commons upon hearing the Sentence and divers of the special Evidences and Proofs whereupon the Sentence was grounded, openly read unto them, after long deliberation and consultation had betwixt them both publickly and privately, they all with one assent allowed the same Sentence to be just, true and honourable, and that they humbly desired their Lordships to make choice of such number of Lords as their Lordships should think meet, to joyn with them in Petition to her Majesty. Whereupon their Lordships made choice of the said Lords following, viz. the Lord Chan-

cellor, the Lord Treasurer, the Lord High Chamberlain, the Lord Steward, the Earl of *Northumberland*, the Earl of *Kent*, the Earl of *Rutland*, the Earl of *Suffex*, the Earl of *Pembroke* and the Earl of *Hartford*, the Lord Chamberlain, the Lord *Abergavenny*, the Lord *Zouch*, the Lord *Morley*, the Lord *Cobham*, the Lord *Grey*, the Lord *Lumley*, the Lord *de la Ware* and the Lord *Norris*.

Memorandum, That the Commons House made request to have the Petition assented unto by both the Houses to be inrolled in the Parliament Roll, the which the Lords thought better to defer until her Majesties liking or misliking were first had of the same.

Dominus Cancellarius adjournavit præsens Parliamentum usq; in diem Martis prox. horâ nonâ.

On *Tuesday* the 15th day of *November* the Lord Chancellor declared unto the whole House the order of proceeding of Committees in presenting the Petition unto her Highness, and that her Majesties Answer was in so eloquent and goodly sort, and with words so well placed, that he would not take upon him to report it as it was uttered by her Majesty, but that the effect was, that her Highness highly thanked her so dutiful and loving Subjects for their great care and tender zeal that they shewed to have of her safety; and were it not in respect of them and of the state of the Realm and maintenance of the true Religion, she would not And that her Highness did well know the greatness of the peril and the dangerous practice attempted against her Person, and that her Majesty did acknowledge it to be the maintaining and defending hand of him that hath delivered her so often, and from so great perils. Her Highness concluded. it was a Cause of great moment, and required good deliberation, and that she could not presently give Answer unto them, but that her Highness would shortly deliver it to some of her Privy Council, which should declare unto them her Highnesses mind. And thus her Highness answered.

This day further the Lord Chancellor signified unto the Lords, that on *Monday* her Majesty commanded him to require the Lords to advise amongst them, if some other course might be taken without proceeding to the extremity of Execution, which her Highness could better like of, if any such might be found, and that her Highness looked for Answer from their Lordships.

Nota, That the whole entrance of this days business, viz. the Lord Chancellors Report of the Queens Answer, is crossed in the Original Journal-Book, but remaineth as legible as any other part, except a few interlined words; but by the whole course following, that ought to stand which is crossed, for without that the business following hath no coherence with the premisses.

Dominus Cancellarius adjournavit præsens Parliamentum usq; in diem Sabbati prox. horâ consuetâ.

Die Sabbati 19 Die Novembris Dominus Cancellarius continuavit præsens Parliamentum usq; in diem Martis prox. horâ nonâ.

On Tuesday the 22^d day of November after many Speeches which tended all to one effect, which was, that their Lordships in their opinions could not find any other way than was already set down in their Petition: then the Lords agreed that the matter should be put to the question; and being particularly asked every one his several voice, answered with one Consent, that they could find no other way.

The House of Commons came up, and desired the Lords to be content to appoint some of the Lords to confer with them upon the Answer that was to be made to her Highness, and to deliver the same to her Majesty. Whereupon the Lords made choice of these Lords following, viz. the Archbishops of *Canterbury* and *York*, the Lord Treasurer, &c.

And the said Lords upon Conference had with the Committee of the Lower House made report, that the like question was propounded to them of the House of Commons, and that they Answered all with one consent, no man gainsaying, that they could find none other way. Whereupon the said Committees of both Houses agreed upon this Answer to be made to her Majesty, That having often conferred and debated of that question according to her Highness Commandment, they could find none other way than was set down in the Petition. Which Answer for the Lords was delivered unto her Majesty by the Lord Chancellor, and for the Commons by their Speaker at *Richmond* on Thursday the 24th day of November.

Dominus Cancellarius continuavit præsens Parliamentum usque in diem Veneris prox. horâ nonâ.

On Friday the 25th day of November the Lord Chancellor delivered her Majesties Answer to the Lords to the last resolution; the Effect whereof was as followeth, viz.

If (said her Highness) I should say unto you that I mean not to grant your Petition, by my faith I should say unto you more than perhaps I mean. And if I should say unto you that I mean to grant your Petition, I should then tell you more than is fit for you to know. And thus I must deliver you an Answer Answerless.

Whereas on the 7th day of this instant Month of November whilst the Lords were in Consultation about the great matter of the Queen of *Scots*, the Chief and only Cause of the Summons of this Parliament, they of the House of Commons came up and desired Conference with some of the Lords of this House, what number it should please their Lordships to appoint touching the said great cause, which, as they affirmed, had been opened and declared unto them: Whereupon the Lords made choice of divers Lords (whose names see at large on *Munday* the 7th day of this instant Month of November foregoing) And to attend the said Lords were ap-

pointed the Lord Chief Justice of the Common-Pleas, the Lord Chief Baron and Justice *Gawdie*, the time and place of their meeting being in the very Parliament Chamber at two of the Clock in the Afternoon; and after often meeting and long Conferences had, they agreed upon a form of Petition, which by both the Houses should be presented unto her Majesty. And that Choice should be made of a certain number of either House to prefer the same unto her Highness. Which being reported to this House, the Lords liked very well thereof; And thereupon made Choice of divers Lords, whose names see at large on Thursday the 10th day of this instant November foregoing.

And they of the House of Commons appointed their Speaker and all the Privy-Council of that House, and so many others as in all with the Privy-Council made up the Number of 42. Persons, to join with the said Lords.

And they altogether understanding first her Majesties pleasure for the time of their repair to her Highness presence, (which was signified to be on Saturday the 12th day of November,) the Lord Chancellor in the name of the Lords, and the Speaker in the name of the House of Commons declared unto her Majesty, That both the Lords and Commons after often Conferences and long consultation had, concluded to be humble Suitors unto her Majesty by way of Petition; the effect whereof was then at good length opened unto her Majesty by the Lord Chancellor and Speaker, and the Petition thereupon delivered unto her Majesty in writing. And where it was before desired by them of the said House of Commons, that presently upon the Agreement of the Form of the Petition it might be entered into the Rolls of the Parliament, the Lords thought it better to stay the entrance thereof until it were presented unto her Highness; which done, the Lords ordered that this Friday the 25th day of November the said Petition should be entered into the Parliament Roll in manner and form following, viz.

May it please your most Excellent Majesty, Our most Gracious Sovereign. We your humble, loving and faithful Subjects, the Lords and Commons in this present Parliament assembled, having of long time to our intolerable grief seen by how manifold most dangerous and execrable practices *Mary* the Daughter and Heir of *James* the Fifth late King of *Scots* Dowager of *France* and commonly called Queen of *Scots*, hath compassed the destruction of your Majesties sacred and most Royal Person, in whose safety (next under God) our chief and only felicity doth consist, and thereby not only to bereave us of the sincere and true Religion of Almighty God, bringing us and this Noble Crown back again into the Thralldom of the Romish Tyranny, but also utterly to ruin and overthrow the happy State and Common Weal of this most Noble Realm; which being from time to time by the great mercy and providence of God, and your

your Highness singular wisdom foreseen and prevented, your Majesty of your exceeding great Clemency and Princely Magnanimity hath either most graciously passed over, or with singular favour tolerated, (although often and instantly moved by your most loving and faithful Subjects to the contrary in times of your Parliaments, and at many other times; and hath also protected and defended the said *Scottish* Queen from those great dangers which her own people for certain detestable Crimes and offences to her imputed, had determined against her. All which notwithstanding, the same Queen was nothing moved with these and many other your Majesties most gracious favours towards her; but rather obdurate in malice, and by hope of continual impunity imboldened to prosecute her cruel and mischievous determination by some speedy and violent course, and now lately a very dangerous Plot being conceived and set down by *Anthony Babington* and others, That six desperate and wicked persons should undertake that wicked and most horrible enterprize to take away your Majesties Life (whom God of his infinite mercy long preserve) she did not only give her advice and direction upon every point, and all circumstances concerning the same make earnest request to have it performed with all diligence, but did also promise assurance of large reward and recompence to the doers thereof; which being informed to your Majesty, it pleased your Highness upon the earnest Suit of such as tendred the safety of your Royal Person, and the good and quiet state of this Realm, to direct your Commission under the Great Seal of *England* to the Lords and others of your Highness Privy-Council, and certain other Lords of Parliament of the greatest and most antient Degree, with some of your principal Judges, to examine, hear and determine the same Cause, and thereupon to give Sentence or Judgment according to a Statute in that behalf made in the twenty seventh year of your most Gracious Reign: By vertue whereof the more part of the same Commissioners being in number thirty six, having at sundry times fully heard what was alledged and proved against the said *Scottish* Queen in her own presence touching the said crimes and offences, and what she could say for her defence and excuse therein, did after long deliberation give their Sentence and Judgment with one consent, that the death and destruction of your Royal Person was imagined and compassed by the said *Anthony Babington* with the privity of the same *Scottish* Queen; And that she her self did also compass and imagine the death and destruction of your most Royal Person. Now for as much as we your Majesties most humble, loyal and dutiful Subjects representing unto your most Excellent Majesty the universal State of your whole people of all degrees in this your Realm, do well perceive and are fully satisfied, that the same Sentence and Judgment is in all things most honourable, just and lawful; And having carefully and effectually

according to our most bounden duties weighed and considered upon what ground and cause so many Traiterous complots and dangerous practices against your most Royal Person and Estate, and for the invading of this Realm have for the space of many years past grown and proceeded, do certainly find and are undoubtedly perswaded that all the same have been from time to time attempted and practised by and from the *Scottish* Queen, and by her Confederates, Ministers and Favourers, who conceive an assured hope to achieve speedily by your Majesties untimely death that which they have long expected, and whereof during your Life (which God long preserve to our inestimable Comfort) they despair, to wit, to place her the said *Scottish* Queen in the Imperial and Kingly Seat of this Realm, and by her to banish and destroy the Professors and professing of the true Religion of Jesus Christ, and the antient Nobility of this Land, and to bring this whole State and Common-Weal to Foreign Subjection and utter ruin and confusion; which their malicious and traitorous purpose they will never cease to prosecute by all possible means they can, so long as they may have their Eyes and Imaginations fixed upon that Lady the only ground of their treasonable hope and conceits, and the only Seed-plot of all dangerous and traitorous devices and practices against your Sacred Person. And seeing also what insolent boldness is grown in the heart of the same Queen through your Majesties former exceeding favours and Clemencies towards her, and thereupon weighing with heavy and sorrowful hearts in what continual peril of such like desperate Conspiracies and practices your Majesties most Royal and Sacred Person and Life (more dear unto us than our own) is and shall be still, without any possible means to prevent it, so long as the said *Scottish* Queen shall be suffered to continue, and shall not receive that due punishment which by Justice and the Laws of this your Realm she hath so often and so many ways for her most wicked and detestable offences deserved; Therefore, and for that we find that if the said Lady shall now escape the due and deserved punishment of Death for these her most execrable Treasons and offences, your Highness Royal Person shall be exposed unto many more and those more secret and dangerous Conspiracies than before, and such as shall not or cannot be foreseen or discovered as these her late attempts have been, and shall not hereafter be so well able to remove or take away the ground and occasion of the same as now by Justice may and ought to be done; We do most humbly beseech your most Excellent Majesty, that as well in respect of the continuance of the true Religion now professed amongst us, and of the safety of your most Royal Person and Estate, as in regard of the preservation and defence of us your most loving, dutiful and faithful Subjects, and the whole Common-Weal of this Realm, It may please your Highness to take speedy Order, That
Declaration

Declaration of the same Sentence and Judgment be made and published by Proclamation, and that thereupon direction be given for further proceedings against the said *Scottish* Queen according to the effect and true meaning of the said Statute: Because upon advised and great consultation we cannot find that there is any possible means to provide for your Majesties Safety, but by the just and speedy Execution of the said Queen, the neglecting whereof may procure the heavy displeasure and punishment of Almighty God, as by sundry severe Examples of his great Justice in that behalf left us in the Sacred Scriptures doth appear. And if the same be not put in present Execution, We your most loving and dutiful Subjects shall thereby (so far as mans reason can reach) be brought into utter despair of the continuance amongst us of the true Religion of Almighty God, and of your Majesties Life, and the Safety of all your faithful Subjects, and the good Estate of this most flourishing Common-Weal.

Dominus Cancellarius continuavit præsens Parliamentum usq; in diem Martis prox.

On Tuesday the 29th day of November, the Lords Spiritual and Temporal being Assembled, *Commissionar' Regine continuaverunt præsens Parliamentum usq; in diem Veneris hora nona.*

On Friday the second day of December *Commissionarii Regine adjornaverunt præsens Parliamentum usq; in decimum quintum diem Februarii prox.*

Nota, That the Parliament was Adjourned without any new Commission from her Majesty which had been used in the last Parliament, in Anno 27 Regin. Eliz. Anno Dom. 1584. where the Adjournment was from the 27th day of December unto the 4th day of February, which was near upon the same intervenient time or space for which this present Parliament de Anno 28, & 29 Regin. Eliz. was now Adjourned.

But the reason and cause is very plain why this Parliament was now Adjourned without any such Commission from her Majesty, although she her self was absent, and this was only in respect that her Highness Person was represented by Commissioners, to whom at first she had by Commission under the Great Seal delegated full and absolute power not only to begin but also to continue, Adjourn or Prorogue this instant Parliament (*ut vide* on Saturday the 29th day of October foregoing) which said Delegates or Lords Lieutenants did here being present Adjourn the same accordingly.

Concerning which said Adjournment and these two Meetings of one and the same Parliament there hath been much mistake and difference both in the Original Journal-Book of the Upper House, and in that also of the House of Commons, in the very Rolls of the Statute of this Parliament transcribed by the Clerk of the Upper House into the *Chancery*, and remaining in the Chappel of the Rolls, and lastly in the very Printed Books of the Statutes thereof.

For in the first place Mr *Anthony Mason* at this time Clerk of the Upper House, Entereth these two meetings of this one and the same Parliament in two several Books, as if they had been two several Sessions; to which mistake he was the rather induced, because divers Lords did send their new Proxies upon the second meeting of the two Houses on Wednesday the 15th day of February, & Anno Regin. Eliz. whereas it doth not appear that in the last Parliament de Anno 27 Regin. Eliz. that any new Proxies were then returned upon the second meeting of the two Houses after a like Adjournment. But the reason of this seemeth to be, not only in respect of this Adjournment, that it was somewhat longer than that former in the twenty seventh year of her Majesty (which lasted not full two Months, whereas this present Adjournment continued for the space of seventy five days or two Months and a Fortnight at the least.) But also because divers of the Lords both Spiritual and Temporal, who were present at this first meeting, being desirous (as it should seem) to hear that great business of the *Scottish* Queen debated and resolved on, did after this Adjournment and their recesses into their several Countries get Licence of her Majesty to be absent from the second meeting of this Parliament, which ensued on Wednesday the 15th day of February following in Anno 29 Regin. Eliz. and in which there were none but ordinary matters likely to be handled (Execution and Justice being done upon the *Scottish* Queen the 8th day of February immediately preceding the said second meeting) and did thereupon send their several Proxies of which such as were unusual and extraordinary are set down in the Journal ensuing according to the several days on which they were returned.

In the second place touching the Original Journal-Book of the House of Commons these two meetings of one and the same Parliament are set down as two several Sessions, the one by Mr *Fulk Onslow* at this time Clerk of the House of Commons, and the other by Mr *William Onslow* his Kinsman, who being a Member of the House was Licenced by it to supply the place of the said Mr *Fulk Onslow*, who by reason of his sickness was not able to attend, who enters this second meeting of the House of Commons upon Wednesday the 15th day of February in these words, *viz.*

This present Session of Parliament holden by Prorogation, &c.

Whereas it had not been Prorogued but Adjourned, and was no new Session but meerly a new meeting.

In the third place the Roll of Statutes transcribed by Mr *Anthony Mason* into the Chancery and remaining in the Chappel of the Rolls, is intituled as followeth, *Rotulus Parliament de Anno Regni Regin Elizabeth. vicesimo octavo.* Whereas the words should likewise have been added, *viz. & vicesimo nono.*

In the fourth and last place the Printed Books of

of Statutes are likewise mistaken; for *Christophor Barker* at this time Printer to the Queens Majesty, who Printed the Statutes of this Parliament at large in Anno 1587. maketh no mention of any Parliament or meeting of Parliament in Anno 28 Regiu. Eliz. but mentioneth that Book of Statutes in this manner, Anno 29^o Regin Eliz. at this present Session of Parliament holden by Prorogation at *Westminster* the 15th day of *February* in the 29th year of the Raig of our most gracious Sovereign Lady *Elizabeth*, &c. Whereas if he had intituled it truly, it should have been thus: At this present Parliament holden at *Westminster* the 29th day of *October* in the 28th and 29th years of the Raig of our most Gracious Sovereign Lady *Elizabeth*, &c. M^r *Poulton* also in his Abridgement of Statutes Printed by the Company of Stationers, Anno Dom. 1612. setteth down a false Title before the Statutes of this Parliament, viz. Statutes made at the Session of Parliament holden by Prorogation at *Westminster* the 29th day of *October*, Anno 28 Eliz. and Anno Dom. 1587. &c.

In which said Title there are these two notorious and gross mistakes: The first in that he saith this Parliament was holden by Prorogation, whereas the former Parliament, held in Anno 27^o Regin. Eliz. being dissolved upon the 14th day of *September* in Anno 28 Regin. ejusdem, this Parliament begun and held in the said 28th and 29th years of her Majesty was newly Summoned, and not held by Prorogation.

His second mistake is more gross than this, in that he allots all these proceedings to the year of our Lord 1587. whereas both meetings did begin and end during the year 1586. reckoning the year to begin upon the 25th day of *March*, as in all the Journal-Books of Parliaments and the Printed Books of Statutes and all Records and private Instruments it is always observed. All which may show how great inconvenience it may bring to take up things upon trust from others without searching out the truth, seeing so many men in that which they were best skilled in, and had doubtless so industriously travelled in, yet should be so grossly mistaken; for it is not worth the proof that this was an Adjournment and not a Prorogation, seeing it is positively entred in the Original Journal-Book of the Upper House on *Friday* the second day of *December* foregoing. And likewise when the two Houses did meet again on *Wednesday* the 15th day of *February* following, the foresaid Journal-Book beginneth thus:

Die Mercurii 15^o die Februarii Domini tam Spirituales quàm Temporales, quorum nomina subsequuntur, præsentes fuerunt.

Whereas if that meeting had been a new Session, the Entrance ought to have been thus: viz.

Die Mercurii 15^o die Februarii, in quem diem hoc præsens Parliamentum Prorogatum fuerat, Proceres tam Spirituales quàm Temporales, &c. Or thus: viz. In quem diem, &c. Sessio Parliamenti

Prorogata fuit teneri & inchoari apud Westminster die & loco prædict. Domini tam Spiritual. quàm Temporal. quorum nomina Subscribuntur, præsentes fuerunt, &c.

To which also may lastly be added, that no Bill passing the two Houses in the first meeting of this Parliament, nay for ought that can be gathered out of the Original Journal-Book of the Upper House, no one Bill having so much as any reading there, as hath been before observed, and so no Royal Assent putting life into any one Law, it could not be a Session but a meer meeting, which continued from *Saturday* the 29th of *October* unto *Friday* the second day of *December* in Annis 28, & 29. Regin Eliz. Anno Dom. 1586.

This doubt being thus fully cleared and the mistakings upon which it grew being likewise discovered, the residue of the Journal of this present Parliament upon the second meeting of the two Houses next ensueth.

On *Wednesday* the 15th day of *February* Anno 29^o Regin Eliz. Anno Dom. 1586. (to which day the Parliament had been on *Friday* the second day of *December* foregoing last Adjourned) The two Houses met in their several places without any presence of the Queen or Solemnity amongst the Lords by coming in their Robes or any other Pomp whatsoever, because this was neither new Parliament nor new Session, but a meer new meeting of either House upon an Adjournment of the former meeting thereof, which began on the 29th day of *October* being *Saturday* in Anno 28 Regin. Eliz. as is aforesaid.

Memorandum that this day Sir *Edmund Anderson* Knight Lord Chief Justice of the Common-Pleas shewed forth to be publicly read a Commission directed unto him from her Majesty, in which appeared that the Lord Chancellor was so visited at this time with sickness, that he was not able to travel to the Upper House to supply his room and place there; her Majesty minding the said room and place to be supplied in all things during the absence of the said Lord Chancellor, hath appointed and authorized the said Sir *Edmund Anderson* during the absence of the said Lord Chancellor to supply his Room, as by the Tenour of the said Commission here ensuing more fully appeareth.

Elizabeth by the grace of God Queen of England, France and Ireland, Defender of the Faith, &c. To our Trusty and right Well-beloved Sir *Edmund Anderson* Knight Chief Justice of our Court of Common-Pleas, Greeting. Whereas our Right Trusty and Right Well-beloved Chancellor Sir *Thomas Bromley* Knight Lord Chancellor of England, is at this time so visited with Sickness that he is not able to travel to the Upper-House of this our present Parliament holden at *Westminster*, nor there to supply the room and place in the said Upper-House among the Lords Spiritual and Temporal there Assembled as to the Office of the said Lord Chancellor

Chancellor or Lord Keeper of the Great Seal of *England* hath been accustomed: We minding the same place and room to be supplied in all things as appertaineth for and during every time of his absence, have named and appointed you, and by these presents do constitute, name, appoint and Authorize you from day to day and time to time, when and as often as the said Lord Chancellor shall happen at any time or times during this present Parliament to be absent from his accustomed place in the said Upper House, to occupy, use and supply the room and place of the said Lord Chancellor in the Upper House amongst the Lords Spiritual and Temporal there Assembled, at every such day and time of his absence; And then and there at every such time to do and execute all such things as the said Lord Chancellor of *England* should or might do if he were there personally present, using and supplying the same room. Wherefore we Will and Command you the said Sir *Edmund Anderson* to supply the doing and Execution of the Premises with effect, and these our Letters Patents shall be your sufficient Warrant and discharge for the same in every behalf: In Witness whereof we have caused these our Letters to be made Patents. Witness our Self at *Westminster* the 15th day of *February* in the twenty ninth year of our Reign, &c.

As soon as the said Sir *Edmund Anderson* had caused the foresaid Commission to be read, he took his place on the Uppermost Woolfack where the Lord Chancellor useth to sit, and in the Original Journal-Book of this Parliament, where the presence of the Lords is noted, he is always ranked in the first place as the Lord Chancellor should have been if he had been present; with this Addition after the setting down of his name and place, *Locum tenens Cancellarii*, in such Order as followeth, viz.

Archiepiscopus *Cantuariensis*.

Edmundus Anderson Miles, Justiciar. de Communibus Placitis, Locum tenens Cancellarii.

Comes *Suffex*.

Comes *Hartford*.

Comes *Lincoln*.

Vice-Comes *Bindon*.

Episcopi.

Episcopus *Winton*.

Episcopus *Sarisburien*.

Episcopus *Roffen*.

Episcopus *Hereforden*.

Barones.

Dominus *Howard* Admirallus.

Dominus *Hunsdon* Camerarius.

Dominus *Morley*.

Dominus *Cobham*.

Dominus *Stafford*.

Dominus *Grey de Wilton*.

Dominus *Stourton*.

Dominus *Sandes*.

Dominus *Cromwell*.

Dominus *Windsor*.

Dominus *Sheffield*.

Dominus *North*.

Dominus *St John de Bletsoe*.

Dominus *Compton*.

Dominus *Norris*.

Which are all the Peers the Journal-Book noteth to have been present.

Nota, That though I do usually observe in all these Journals never to have the presence of the Lords transcribed but at the beginning only of a new Parliament, or at least a new Session; yet I have observed it here though but at the beginning of a new meeting: partly because it was after a long Adjournment, and partly because many Lords did send new Proxies: So that the presence of the Lords before set down at the beginning of this Parliament on the 29th day of *October* being *Saturday*, could not serve to be any rule for the presence of those that attended at this new meeting. Which is for the most part the chiefest reason why the presence of the said Lords is marked on the first day of the Parliament, or on the next day from the first, on which they be noted, if through the Clerk of the Upper House his negligence (as it often happeneth) it be omitted on the said first day.

A second but less material cause why I have their names transcribed, is to see the due places and precedencies of the Lords Temporal.

On this 15th day of *February* lastly (although this were neither new Parliament nor new Session, but merely a second meeting of one and the same Parliament, as hath been already observed) was one unusual or extraordinary Proxy returned, which is Entred in the Original Journal-Book of the Upper House in manner and form following, viz.

15 Die Februarii introductæ sunt literæ Procuratorie Thomæ Episcopi Bathonien' & Wellen', in quibus Procuratores suos constituit Thomam Episcopum Wintonien', Thomam Episcopum Cice-stren', & Willielmum Episcopum Coventrien' & Litchfield'.

The difference between an usual and an unusual Proxy see before on *Saturday* the 29th day of *October* in the latter end thereof (on which said day this Parliament began) where also it is set down why those ordinary ones are for the most part omitted.

Other unusual Proxies returned also at this new meeting of Parliament, vide on *Friday* the 17th day, on *Sunday* the 19th day, and on *Saturday* the 25th day of this instant *February*. All which I have ever caused to be set down upon the several days on which they were returned, if the said day be particularly expressed, and not altogether before the beginning of the Parliament,

ment, as is usually observed in the Original Journal-Books of the Upper House.

Nota Lastly, that John Archbishop of Canterbury was Constituted Joint Proctor with others by five several Bishops this Parliament, of which the first Proxy was returned on Sunday the 19th day of this instant February from John Bishop of Exeter; the second on the same Day from Richard Bishop of Durham; the third on Saturday the 25th day of this instant February from Edmund Bishop of Worcester; the fourth on Thursday the 9th day of March next ensuing from Hugh Bishop of Bangor, and the fifth and last on the same day from William Bishop of St Asaph. Which with many other precedents of a like nature frequent almost in every Parliament, doth plainly prove, that any Lord Spiritual or Temporal being a Member of the Upper House is capable of as many Proxies as shall be sent unto him, by the ancient Customs and Usages of that House; although the contrary hath been of late ordered upon the day of in the Parliaments in Anno secundo Regis Caroli.

Sir Edmund Anderson Lord Chief Justice of the Common Pleas sitting in and supplying of the place of Sir Thomas Bromley Lord Chancellor absent (as is before observed) by reason of sickness, did by the Assent of the Lords Commissioners Adjourn the Parliament unto Wednesday next at Nine of the Clock in the Morning being a full se'night after.

Nota, That during this intervenient time of Adjournment, three unusual Proxies were delivered in unto the Clerk of the Parliament; the first of which is Entred in the Original Journal-Book of the Upper House to have been returned upon Friday the 17th day of this Instant February in manner and form following, viz.

17^o Die Februarii introductæ sunt Literæ procuratoriæ Anthonii vicecomitis Mountague, in quibus Procuratores suos constituit Ambrosium Comitem Warwici, & Robertum Comitem Leicester.

19^o Die Februarii introductæ sunt Literæ procuratoriæ Johannis Episcopi Exon, in quibus Procuratores suos constituit Johannem Archiepiscopum Cantuarien', Thomam Episcopum Winton' & Johannem Episcopum Roffen'.

Item introductæ sunt Literæ procuratoriæ Richardi Episcopi Dunelmen in quibus Procuratores suos constituit Johannem Archiepiscopum Cantuarien', Johannem Episcopum London, & Thomam Episcopum Wintonien.

Nota, That here a Temporal Lord constituted two Proctors, and two Spiritual Lords nominated each of them three, which being extraordinary and unusual Proxies are well worthy the observation. *Vide intrationes Literarum consilium procurator' die Saturni die 29^o Octobris præcedentis in fine diei, & die Mercurii die 15^o Februar. jam instantis antea, & die Saturni die vicesimo quinto ejusdem Febr' postea.*

On Wednesday the 22^d day of February the Bill to avoid fraudulent Assurances made or to be made in certain cases by Traitors was read primâ vice.

Edmundus Anderson Capitalis Justiciarius de placito communi continuavit præsens Parliamentum usq; in diem crastinum horâ nonâ.

On Thursday the 23^d day of February the Lords met, but it seems nothing was done, but only the Parliament continued unto a further day, the Entrance whereof in the Original Journal-Book is in manner and form following, viz.

Edmundus Anderson Miles capitalis Justiciarius de placito communi continuavit præsens Parliamentum usq; in diem Sabbati prox. horâ nonâ.

On Saturday the 25th day of February Two Bill of no great Moment had each of them one reading; of which the second being a Bill to avoid fraudulent Assurances made or to be made in certain Cases by Traitors was upon the second reading committed unto the Archbishop of Canterbury, the Lord Steward and others.

This day was one unusual Proxy returned, which is Entred in the Original Journal-Book of the Upper House in manner and form following, viz.

25^o Die Februarii introductæ sunt Literæ procuratoriæ Edmundi Episcopi Wigorn, in quibus Procuratores suos constituit Johannem Archiepiscopum Cantuariensem, Johannem Episcopum London, & Johannem Episcopum Roffen.

Nota, That it doth not appear whether this Proxy was delivered unto the Clerk of the Upper House in the said House sitting the Court, or elsewhere; but it is probable that it might be this Forenoon before the rising of the Lords.

Dominus Capitalis Justiciarius de placito communi continuavit præsens Parliamentum usque in diem Lunæ prox' horâ octavâ.

On Monday the 27th day of February the Bill for Restraint of Horse-stealing and other Felonies was upon the second reading committed.

Dominus Capitalis Justiciarius de placito communi continuavit præsens Parliamentum usque in diem Jovis prox' horâ nonâ.

On Thursday the 2^d day of March there was brought from the House of Commons one Bill, which being for explanation of the Law touching certain ambiguous questions and strifes of late risen about Fines and Recoveries levied before the Justices of the Common Pleas, where unto they are parties, was read the first time.

Leçt. sunt The Amendments for the Bill to avoid fraudulent Assurances made or to be made in certain Cases by Traitors; & *leçt. sunt* the Amendments for the Bill of Horse-stealing and other Felonies.

In the Journal-Book is no entrance or mention of any Amendments by the Committees thought fit to be added to both or either of the said Bills, nor of the delivery back of the said Bills or either of them by the Committees into the House, which seemeth to have been the Error of the Clerk by that which followeth on Thursday the ninth day of March, where it is plain that this was the first reading of these Amendments.

Dominus Capitalis Justiciarius de placito communi continuavit præsens Parliamentum usque in diem Sabbati prox. horâ consuetâ.

On Saturday the 4th day of March the Bill for the Explanation of the Law touching certain ambiguous questions and strifes of late risen about Fines and Recoveries levied before the Justices of the Common Pleas, whereunto they are parties, was read *secundâ vice*.

Dominus Capitalis Justiciarius de placito communi continuavit præsens Parliamentum usque in diem Lunæ prox. horâ nonâ.

On Monday the 6th day of March the Bill for the Explanation of the Law touching certain ambiguous questions and strifes of late risen about Fines and Recoveries levied before the Justices of the Common Pleas, whereunto they are parties, was read the third time, & *communi omnium Procerum assensu conclusa*.

Dominus Capitalis Justiciarius de placito communi continuavit præsens Parliamentum usque in diem crastinum horâ octavâ.

On Tuesday the 7th day of March the Bill for the restraint of Horse-stealing and other Felonies was read *tertiâ vice*, & *communi omnium Procerum assensu conclusa*.

There was brought to the Lords from the House of Commons the Bill for one entire Subsidy and two Fifteenths and Tenths granted by the Temporality.

On Wednesday the 8th day of March the Bill for one entire Subsidy and two Fifteenths and Tenths granted by the Temporality, was read *primâ vice*.

On Thursday the 9th day of March the Bill for the Grant of one entire Subsidy and two Fifteenths and Tenths granted by the Temporality was read *tertiâ vice*, & *communi omnium Procerum assensu conclusa*.

Nota, That in the Journal-Book there is no entrance or mention of the second reading of this Bill, which doubtless happened through the negligence of Mr Anthony Mason at this time Clerk of the Upper House.

The Amendments in the Bill to avoid fraudulent Assurances made or to be made in certain cases by Traitors, were read.

On Saturday the 11th day of March three Bills of no great moment were brought up to the Lords from the House of Commons; of which the first appointing the wideness of the Mask of Nets for taking Herrings and Smelts in Oxford Haven, and the Gull was read *primâ vice*.

Introducta est Billa pro Subsidio Cleri, quæ primâ & secundâ vice lecta est & commissi ad ingrossandum.

The Bill to avoid fraudulent Assurances made in certain cases by Traitors was read *tertiâ vice*, quæ *communi omnium Procerum assensu conclusa est*, & *tradit' Doctori Ford & servienti Gawdy in Domum Communem deferend'*.

A Bill for the better and more speedy execution of certain branches of the Statute made in the 23^d year of the Queens Majesties Reign, intituled,

An Act to restrain the Queens Majesties Subjects in their due obedience, was read *primâ vice*.

The House of Commons made request to the Lords to have Conference with some of their Lordships what number it should please their Lordships to appoint. Whereupon the Lords made choice of these following, viz. the Archbishop of Canterbury, the Archbishop of York, the Lord Steward, the Earl of Kent, the Earl of Worcester, the Earl of Rutland, the Earl of Hartford, the Earl of Leicester, the Bishop of London, the Bishop of Winchester, the Bishop of Salisbury, the Lord Hunsdon Lord Chamberlain, the Lord Morley, the Lord Cobham, the Lord Grey, the Lord Stafford, the Lord Stowton, the Lord Cromwell, the Lord North, the Lord Delaware and the Lord Norris.

After Conference had with the Committee of the Lower House, this present day the said Committee made Report unto the whole House, that the House of Commons made humble Suit unto their Lordships to have their Lordships to joyn with them in a Contribution or Benevolence for the Charges of the Low Countries Wars, which they of the House of Commons meant to offer unto her Majesty. How they meant to proceed therein was opened by the Archbishop of Canterbury. Upon which Report of the Committee the Lords thought good to defer their Answer until Monday next.

But it appeareth not by the Original Journal-Book of the Upper House or of the House of Commons, that any such Answer was given by their Lordships upon the said Monday being the 13th day of this instant March ensuing. *Vide die Mercurii die 15^o Martii sequentis in fine diei.*

On Monday the 13th day of March six Bills of no great moment had each of them one reading; of which the first being the Bill for one Subsidy granted by the Clergy was read *tertiâ vice*, and the Bill touching Oxford Haven was read *secundâ & terciâ vice*.

On Tuesday the 14th day of March the Bill for confirmation of the Sale of Edward Fishers Lands made towards satisfaction of his Debts, Charges and Incumbrances, was brought from the House of Commons, and read *primâ vice*. *Vide plus* concerning this matter on the day following.

The Bill for Confirmation of the Attainder of Thomas late Lord Paget and others was read *tertiâ vice*, & *communi omnium Procerum assensu conclusa & expedita*, dissentiente Domino Darcy, who is sometimes called the Lord Darcy of Meinel.

Two Bills of no great moment had each of them one reading, being the last reading, and thereupon passed; of which the second being the Bill for the more speedy and due execution of certain branches of the Statute made in the 23^d year of the Queens Majesties Reign, intituled, An Act to retain the Queens Majesties Subjects in their due obedience, was expedited *communi omnium Procerum assensu*, dissentiente solummodo Comite Rutland. Which two Bills aforesaid were sent down to the House of Commons by the

the Queens Attorney and Doctor Carew.

Two Bills were brought up to the Lords from the House of Commons, whereof the first being an Act of one Subsidy granted by the Clergy was returned expedited; and the other was the Bill for the payment of the Debts and Legacies of Sir Gerrard Croker Knight deceased and of John Croker Esq; his Son.

On *Wednesday* the 15th day of *March* the Bill for the payment of the Debts and Legacies of Sir Gerrard Croker Knight, and of the Debts of John Croker Esq; his Son, was read *primâ vice*.

Two Bills were brought up to the Lords from the House of Commons, whereof the first being a Bill touching Errours in Records of Attainders of High Treason was read *primâ vice & commissa*; and the second being a Bill for repealing of a Statute made in the 23^d year of the Queens Majesties Reign touching the bringing in Fish into this Realm, was read *primâ vice & commissa*.

The Bill for the confirmation of the Seal of Edward Fishers Lands made towards the satisfaction of his Debts, Charges and Incumbrances was read *secundâ vice*. Whereupon the Lords ordered that Edward Fisher now in the Fleet should be brought before them to morrow at nine of the Clock, and that he should bring his learned Counsel with him: And that the Parties who follow the said Bill, should have like warning to be there with their learned Counsel.

Nota, That this very Bill or some other to the same purpose had divers readings, and was often debated in the Parliament, both in the Upper House and in the House of Commons, but passed not. And there it seemeth, that the same or a new Bill to the like purpose was now again offered unto the House. *Vide* the first reading of it upon *Tuesday* immediately foregoing.

The Lords Committees made Report unto the whole House, that upon divers Conferences had with the Committees of the Lower House touching their Request made to the Lords to joyn with them in Petition to her Majesty about a Benevolence or Contribution, which they of the House of Commons thought good to offer unto her Majesty; the said Lords Committees thought it not fit, for divers reasons, to joyn with the House of Commons herein. Which reasons when the whole House had heard and considered, their Lordships did resolve that the House of Commons should be left to themselves, and their Lordships would take such order therein for themselves as to them should seem convenient. *Vide plus* concerning this matter on *Saturday* the 11th day of this instant *March* foregoing.

On *Thursday* the 16th day of *March* the Committees in the Bill for the repealing of a Statute made in the three and twentieth year of the Queens Majesties Reign touching the bringing in of Fish into this Realm, according to the Lords appointment delivered their opinions and reasons by the Lord Chief Baron touching the said Bill; which when the Lords had heard and considered, they ordered that the said Bill for the Repeal

of the said Statute should be rejected.

This day was chosen a new Committee to resolve upon somewhat touching the Contribution, viz. the Archbishop of *Canterbury*, the Archbishop of *York* the Lord Steward, the Earl of *Kent*, the Earl of *Worcester*, the Earl of *Rutland*, the Earl of *Hartford*, and the Earl of *Leicester*; the Bishop of *London*, the Bishop of *Winton*, and the Bishop of *Salop*; the Lord Chamberlain, the Lord Morley, the Lord Cobham, the Lord Gray, the Lord Stafford, the Lord Stourton, the Lord Cromwell, the Lord North, the Lord Delaware and the Lord Norris.

The Lords Committees last named upon Conference had betwixt them in respect of the great Charges that her Majesty hath sustained heretofore, and that her Highness shall be enforced hereafter to be at for the defence of this Realm and other her Majesties Dominions, did resolve amongst themselves freely to give to her Majesty two shillings in the pound, after the rate of the valuation of the Subsidy of the Temporality granted in this present Session of Parliament, to be paid unto such persons and at such time as it shall please her Majesty to appoint. Which being after openly declared to the whole House, the Temporal Lords (in as much as the Lords Spiritual had made former offer of Contribution unto her Majesty) did all together with one consent most willingly ratifie the said resolution, both touching the Sum and the payment thereof; and ordered that this their free gift should be entered upon Record: And that such of the Lords of her Majesties Privy Council as were there present, should signifie the same to her Highness in all their Names.

On *Friday* the 17th day of *March* a Bill touching Errours in Records of High Treason was read *secundâ & tertiâ vice & conclusa*.

On *Saturday* the 18th day of *March* the Bill for the confirmation of the Sale of Edward Fishers Lands made towards the satisfaction of his Debts, Charges and Incumbrances, with certain amendments in a Schedule added unto the said Bill, was read *tertiâ vice & communi omnium Procerum assensu conclusa*, & tradita Doctori Barkely & Doctori Carew in Domum Communem deferend'. *Vide* concerning this matter on *Tuesday* the 14th day, and on *Wednesday* the 15th day of this instant *March* foregoing.

Two Bills were brought up to the Lords from the House of Commons; of which the first being a Bill touching Exemplifications and Constats of Original Conveyances made to the Queens Majesty, was read *primâ vice*.

On *Monday* the 20th day of *March* two Bills of no great moment had each of them one reading; whereof the second being a Bill for the limitation of time touching Writs of Error upon Fines and Recoveries, was read *secundâ vice*.

Six Bills of no great moment were this day, lastly, brought up to the Lords from the House of Commons; of which the first being for the Sale of Edward Fishers Lands was returned expedited;

dited; and the second was a Bill for the more speedy and due Execution of certain branches of the Statute made in the twenty third year of the Queens Majesties Reign, intituled, An Act to retain the Queens Majesties Subjects in their due obedience, with an amendment, and a provision annexed, *quæ communi omnium Procerum assensu conclusa & expedit*; and the third being the Bill for continuance of Statutes was read *primâ vice*.

On Tuesday the 21th day of March *primâ, secundâ & tertiâ vice lecti* sunt the Amendments of the Bill to avoid fraudulent Assurances made in certain cases by Traitors, *quæ communi omnium Procerum assensu conclusa, & tradit servienti Gawdy & Doctori Carew in Domum Communem deferend*.

Two Bills also of no great moment had each of them one reading; of which the first being a Bill for limitation of time touching Writs of Errours upon Fines and Recoveries, was read *tertiâ vice*, & *communi omnium Procerum assensu rejecta est*.

Two Bills were sent up to the Lords from the House of Commons, which (as it seemeth) were of so little moment, as that they are omitted in the very Original Journal-Book of the Upper House.

On Wednesday the 22th day of March the Bill for the continuance and perfecting of divers Statutes was read *secundâ & tertiâ vice*, and sent to the House of Commons by Serjeant Gawdy and Doctor Carew, being first passed by the Lords with an Amendment.

The first reading of this Bill appeareth not in the Original Journal-Book of the Upper House; and by that which followeth on Thursday the 23^d day of this instant March following, it is plain that the Entrance of the several readings of this Bill with the Amendments thereof, is much mistaken and confounded through the great negligence of Mr Anthony Mason, at this time Clerk of the Upper House.

A Bill for the Sale of Thomas Hanford's Lands, was brought up to the Lords from the House of Commons.

The Lords having before passed a Bill to the same effect, and sent it down to the House of Commons, and they having rejected it without any Conference first desired and had with their Lordships; therefore the Lords thought it a Precedent so strange and so far different from the Orders of this House, that they of the House of Commons should reject a Bill sent from this House without Conference, and frame a new Bill to the same effect and send it up, that they did resolve to put it to the Question, Whether this new Bill should by the Orders of this House be read here or not. The whole House being particularly asked their opinions herein with one assent, concluded (not one gainsaying) that it should not be read.

On Thursday the 23^d day of March the Bill for the continuance and perfecting of divers Statutes was read *secundâ & tertiâ vice*, & *communi om-*

nium Procerum assensu conclusa, with the Amendments. Vide concerning this matter in the beginning of the day immediately foregoing being Wednesday; for it should seem that the Bill it self was then read *primâ & secundâ vice*, and the Amendments only at this time, although they be both set down very confusedly through the negligence of the Clerk of the Upper House.

The Bill for the Queens Majesties most gracious, general and free Pardon *communi omnium Procerum assensu conclusa*, & *tradit servienti Gawdy & Doctori Carew in Domum Communem deferend*. Which said Bill was brought back again this morning from the said House of Commons unto the Lords, with another Bill which was for the continuance and perfecting of divers Statutes.

There is no other or further business of this day set down in the Original Journal-Book of the Upper House, save only her Majesties Royal Assent given to divers Bills which had passed both Houses, although she her self was absent, which was done by her Majesties Letters Patents under the Great Seal. Which because of the rarity of the Precedent, are here *verbatim* transcribed, together with the manner and solemnity of this days meeting, out of the said Original Journal-Book in manner and form following, viz. *Hodie quum omnes Procures Robis Parlamentaribus induti in suo quisque loco sederent, & Prolocutor de Domo Communi unâ cum omnibus qui ad hoc præsens Parlamentum summoniti fuerant, & Militibus, Civibus & Burghensibus accersitis præsto esset Edmundus Anderson Miles, Capitalis Justiciarius de placito communi, quia Cancellarius nondum convaluit, exponit omnibus Regiam Majestatem magnis & urgentissimis quibusdam negotiis aded esse impeditam, ut non queat impræsentiar commodè interesse: Tamen, inquit, sua Majestas imperavit mihi, ut suo nomine vobis hic præsentibus declarem, quibus Legibus seu Statutis à vobis in hoc præsentì Parlamento pro vestra parte stabilitis velit Regium assensum suum adhibere, sine quo Legum vigorem obtinere non debent, sicuti vos probè nôstis. Et hiis dictis protendit Clerico Parlamentor' quasdam Literas sub magno Sigillo Angliæ Patentes, quas ipse publicè legit. Literæ autem scriptæ fuerunt in hæc verba.*

Elizabeth by the Grace of God Queen of England, France and Ireland, Defender of the Faith, &c. To our right Trusty and right well-beloved the Lords Spiritual and Temporal, and to our Trusty and well-beloved the Knights, Citizens and Burghesses, the Commons in this present Parliament Assembled, Greeting. We have seen and perfectly understand divers and sundry Acts and Ordinances annexed and affiled to these Presents, agreed and accorded by our loving Subjects the Lords Spiritual and Temporal and the Commons in this our present Parliament assembled, and severally indorsed by you as hath been accustomed; The Titles and names of which Acts hereafter do particularly ensue (that

(that is to say) an Act for the Confirmation of the Attainders of *Thomas* late Lord *Pagett* and others; An Act concerning Errors in Records of Attainders of High-Treason; An Act to avoid fraudulent Assurances made in certain Cases by Traitors; An Act to prevent Extortion in Sheriffs, Under-Sheriffs and Bailiffs of Franchises or Liberties in Cases of Execution; An Act for the Continuance and perfecting of divers Statutes; An Act for the more speedy and due Execution of certain Branches of the Statute made in the 23^d year of the Queens Majesties Raigh intituled An Act to retain the Queens Majesties Subjects in their due obedience; An Act for the Confirmation of the Sale of *Edward Fishers* Lands made towards satisfaction of his Debts, Charges and Incumbrances; An Act of one Subsidy granted by the Clergy; An Act for the Grant of one entire Subsidy and two Fifteenths and Tenths granted by the Temporality; An Act for the Queens Majesties most gracious, general and free Pardon: And albeit the said several Acts and Ordinances by you our said Subjects the Lords and Commons in this our present Parliament Assembled be fully agreed and consented unto, and seem very necessary and profitable for the Commonwealth, which nevertheless be not of any force or effect in the Law without our Royal Assent given and put to the same Acts and Ordinances and every of them; And forasmuch as for divers great and urgent Causes and Considerations, We cannot conveniently at this present be personally in our Royal Person in our Higher House of Parliament, being the place accustomed to give our Royal Assent unto such Acts and Ordinances as have been agreed upon by our said Subjects the Lords and Commons; We have therefore caused these our Letters Patents to have been made, and have signed and caused the same to be Sealed accordingly, And by the same do declare and notify as well to you the Lords Spiritual and Temporal and the Commons aforesaid, as to all and singular other our loving Subjects, That we by these Presents do give & put our Royal Assent to all and singular the said Acts and Ordinances, and to all Articles, Clauses and Provisions in them contained, and be fully agreed and consented to all and every the said Acts, willing that the said Acts and every Article, Clause, sentence and provision in them contained, from henceforth shall be of the same strength, force and effect as if we had been personally present in the said Higher House, and had openly and publickly in the presence of you all assented to the same; Commanding also by these Presents as well our Chancellor of *England* to seal these our Letters Patents with our great Seal, as our Trusty and well-beloved Sir *Edmund Anderson* Knight our Chief Justice of our Common Pleas, to declare and notify this our Royal Assent in our absence in the said Higher House in the presence of you the said Lords Spiritual and Temporal and the Commons of our Parliament there to be assembled

for that purpose, and the Clerk of our Parliament to Indorse the said Acts with such Terms and Words in our Name as is requisite and hath been accustomed for the same; And also to Inrol these our Letters in the said Parliament Roll; and these our Letters Patents shall be to every of them sufficient Warrant in that behalf: And finally declare and will that after this our Royal Assent given and passed by these Presents, and declared and notified as is aforesaid, That then immediately the said Acts and every of them shall be taken, accepted and admitted good, sufficient and perfect Laws, to all intents, Constructions and purposes, and to be put in due Execution accordingly, the Continuance or Dissolution of this our Parliament, or any other Use, Custom, thing or things to the contrary thereof notwithstanding.

In Witness whereof We have caused those our Letters to be made Patents. Witness our self at *Westminster* the 23th day of *March* in the 29th year of our Reign.

Per ipsam Reginam.

Nota, That the Clerk of the Parliament having read the said Letters Patents before set down, Sir *Edmund Anderson* Knight Lord Chief Justice of the Common Pleas (still supplying the place of Sir *Thomas Bromley* Knight Lord Chancellor) delivered other Letters Patents unto the said Clerk openly to be read, whereby eight several Commissioners were nominated and authorized to dissolve the Parliament, *viz.* The Archbishop of *Canterbury*, the Archbishop of *York*, the Earl of *Shrewsbury* Earl Marshal of *England*, the Earl of *Darby* Lord Steward, the Earl of *Kent*, the Earl of *Leicester* Master of her Majesties Horse, the Lord *Howard* Lord Admiral of *England*, Lord *Hunsdon* Lord Chamberlain, and the Lord *Cobham* Lord Warden of the Cinque-Ports. For doubtless unless a new Commission had come forth by which these before-named Honourable Personages had been *de novo* nominated to this purpose, the three Commissioners at first appointed in the beginning of this Parliament (which see at large upon *Saturday* the 29th day of *October* foregoing) might without any other new authority though not have Dissolved the Parliament, yet have Prorogued it to a further day, as they had formerly Adjourned it upon *Friday* the second day of *December* foregoing unto *Wednesday* the 15th day of *February* next ensuing, which was for ten weeks space at the least: but that former Authority being now at an end by these new Letters Patents, the manner of their delivery, the removal of the new Commissioners in them nominated, and the Commission lastly it self are thus *verbatim* set down in the Original Journal-Book of the Upper House.

Postquam verò Clericus Parliament. has Literas palam perlegisset, Edmundus Anderson Miles alias etiam Literas Patentes eidem Clerico Parliamenti publicè legendas tradidit: atque hinc notandum est omnes Dominos Commissionarios in Literis patentibus nomi-

nominatos locis suis relictis in medio banco confedisſe dum dictæ Literæ legerentur : Earum autem tenor hic ſequitur.

Elizabeta Dei gratiâ Angliæ, Franciæ & Hi-
bernæ Regina, fidei Defenſor, &c. Reve-
rendiſſimo in Chriſto Patri ac Conſiliario ſuo Jo-
hanni Cantuarienſi Archiepiſcopo, totius Angliæ
Primate & Metropolitano, ac Reverendiſſimo in
Chriſto Patri Edwino Archiepiſcopo Eboracen.
Angliæ Primate & Metropolitano ; ac etiam cha-
riſſimis Conſanguineis & Conſiliariis ſuis Georgio
Comiti Salop Comiti Mareſcallo Angliæ, Henrico
Comiti Darbiæ magno Senefchalco ; necnon chariſ-
ſimo Conſanguineo & Conſiliario ſuo Henrico Co-
miti Kantix, ac chariſſimo Conſanguineo & Con-
ſiliario ſuo Roberto Comiti Leiceſtr. Magiſtro Equo-
rum ſuorum ; ac etiam prædilectis & fidelibus Con-
ſiliariis ſuis Carolo Domino Howard magno Ad-
mirallo ſuo Angliæ, Henrico Domino de Hunſdon
Domino Carmerario ſuo, & Willielmo Domino
Cohham Domino Gardiano quinq; Portuum ſuo-
rum, Salutem. Cùm nuper pro quibuſdam arduis
& urgentibus negotiis, nos, ſtatim & deſenſionem
Regni noſtri Angliæ ac Eccleſiæ Anglicanæ concern'
præſens hoc Parliamentum noſtrum apud Civitatem
noſtram Weſtmonaſterii decimo quinto die Octo-
bris ultimo præterito inchoari & teneri ordinaveri-
mus, in & à quo die idem Parliamentum noſtrum
uſq; ad & in vicesimum ſeptimum ejusdem menſis
Octobris prorogat' fuerat, eodẽmq; die idem Par-
liamentum noſtrum uſq; ad & in vicesimum nonum
diem dicti menſis Octobris prorogat' fuerat, ac ibid'
tunc tent' & continuat' fuerat uſq; ad & in ſecun-
dum diem Decembris tunc proximum ſequentem ;
Eodẽmq; die idem Parliamentum noſtrum uſq; ad
& in decimum quintum diem Februarii tunc prox'
ſequent' adjournat' fuit ; Eodẽmq; die idem Par-
liamentum noſtrum tunc & ibidem tent' & con-
tinuat' fuerat uſq; ad & in vicesimum tertium diem
iſtantis menſis Martii : Sciatis tamen certis ur-
gentibus cauſis & conſiderationibus nos ſpecialiter
moven' idem Parliamentum noſtrum hoc iſtante
vicesimo tertio die Martii duximus diſſolvend'. De
fidelitate igitur, prudentiâ & circumſpectiõne ve-
ſtris plurimum confident' de aviſamento & aſſenſu
Conciliî noſtri assignavimus vos & aliquos tres vel
plures veſtrum Commiſſionarios noſtros, dantes vo-
bis & aliquibus tribus vel pluribus veſtrum, tenore
præſentium, plenam poteſtatem, facultatem & au-
thoritatem hoc iſtante vicesimo tertio die Martii
ad dictum Parliamentum noſtrum Nomine noſtro
plena' diſſolvend'. Et ideo vobis Mandamus quod
vos, aliqui tres vel plures veſtrum idem Parliamen-
tum noſtrum eodem iſtante vicesimo tertio die Mar-
tii virtute harum Literarum Patentium Nomine no-

ſtro plenè diſſolvatis & determinetis. Et ideo vo-
bis Mandamus quod circa præmiſſa diligenter in-
tendatis, ac ea in forma prædicta effectualiter ex-
pleatis & exequamini. Damus autem univerſis &
ſingulis Archiepiſcopis, Marchionibus, Comitibus,
Vicecomitibus, Episcopis, Baronibus, Militibus, Ci-
vibus & Burgenſibus, ac omnibus aliis quorum in-
tereſt ad dictum Parliamentum noſtrum convenitur
tenore præſentium firmiter in mandatis, quod vobis
in præmiſſis pareant, obediant & intendant in
omnibus prout decet. In cujus rei teſtimonium has
Literas noſtras fieri fecimus Patentes. Teſte me-
iſſa apud Weſtmonaſterium vicesimo tertio die Mar-
tii Anno Regni noſtri vicesimo nono.

Per ipſam Reginam.

Powle.

It ſhould ſeem that the reading of theſe Com-
miſſions and the Diſſolution of this Parliament
were all of them finiſhed this *Thursday* the 23th
day of this iſtant *March* in the Forenoon, for
eſſe there muſt have been ſome other continuance
of it by the Lord Chief Juſtice of the Common
Pleas ſupplying the place of the Lord Chancellor
upon the riſing of the Lords to dinner unto ſome
hour in the Afternoon ; which may very well
be, in reſpect that although the Queens Maſteſty
came uſually in Perſon to give her Royal Aſſent
in the Afternoon, yet that being now performed
after an unuſual and extraordinary manner by
her Maſteſties Letters Patents, or a Commiſſion
under the Great Seal, the time was alſo altered :
So that though this Parliament were not long in
continuance (for both the meetings thereof put
together make but ten weeks at the moſt) yet it
had many weighty matters debated in it, and
this Journal of the Upper Houſe is richly ſtored
with rarer Precedents than any other of all the
Queens time.

Finally, Her Maſteſties loving Subjects conſi-
dering the great Charges ſhe ſuſtained by the
maintenance of the *Low Countries* Wars, and
withal in a manner foreſeeing the ſtupendious
preparations of *Spain* (at this time moſt intentive
in providing and furniſhing of that mighty *Ar-
mado* ſtiled afterwards *Invincible*) did not only
grant unto her Maſteſty one entire Subſidy and
two Fifteenths and Tenths (as the Clergy had
alſo granted unto her one other Subſidy) but did
likewiſe conſult in either Houſe ſeverally (for
the Lords reſuſed to joyn with the Houſe of
Commons therein) concerning a Contribution
to be beſtowed upon her Maſteſty in like ſort alſo
towards the further and better ſupport of thoſe
foreſaid continual and chargeable Wars of the
Netherlands.

THE JOURNAL OF THE House of COMMONS.

An Exact, large and very perfect Journal of the Passages of the House of Commons in the Parliament holden at Westminster, Anno 28 Reginæ Eliz. Anno Domini 1586. which began there on Saturday the 29th Day of October (after two several Prorogations thereof) and there continued until it was at length Dissolved on Thursday the 23th Day of March, Anno 29 Reginæ ejusdem.

THE Passages of this Journal of the House of Commons are fully replenished with excellent and rare matter both in respect of the business of *Mary Queen of Scots* handled in the first meeting, and of the publick dangers threatned against her Majesties person and Realms discussed in the second meeting of this Parliament; in which also there wanted not the passing of divers good and wholesome Laws, and the discussing of many emergent disputes touching the private affairs of the said House: all which are in themselves very useful and worthy of observation.

Although the Parliament had been summoned to have begun upon *Saturday* the 15th day of *October* in *Anno 28 Regina Eliz.* yet it held not, but was on the said day further Prorogued unto *Thursday* the 27th day of the same Month, upon which said day it was lastly Prorogued unto *Saturday* the 29th day of the same next ensuing.

On which said 29th day of *October* the Parliament held accordingly, although her Majesty came not in person, but appointed by her Letters Patents under the Great Seal, the Archbishop of *Canterbury*, the Lord *Burleigh* Lord Treasurer, and the Earl of *Darby* Lord Steward, or any two of them, her Delegates or Commissioners in her Majesties name and stead to begin this said Parliament, and the same further to

hold, continue, Adjourn or Prorogue as to them should seem fitting and needful.

The Lords therefore being set, the Knights, Citizens and Burgesses of the House of Commons had notice thereof, and thereupon repaired unto the Upper House, and as many as could conveniently being let in, Sir *Thomas Bromley* Knight Lord Chancellor shewed that the Queens Majesty was with-held by some very great and important occasions, so that she could not be there personally present at this time, but yet had appointed some other Honourable personages there present to supply her place, and in her name to begin the said Parliament. And then the same Letters Patents were read. After which the foresaid three Commissioners leaving their places went to a Seat prepared for them on the right side of the Chair of State, who being so placed the Lord Chancellor did lastly declare, that the meer cause for which this Parliament had been so suddenly called at this time, was upon the discoveries of the late most great and horrible Treasons plotted for the taking away of her Majesties Life, and the subversion of true Religion, and that one great offender therein did yet remain, touching whose punishment her Majesty did crave their faithful advice; and therefore wished those of the House of Commons to make present choice of some one amongst them to be their Speaker, and to present him unto the Lords Lieutenants or Lords Commissioners

missioners as soon as conveniently they might.

Whereupon the Knights, Citizens, Barons and Burgesſes of the Houſe of Commons repairing to their ſaid Houſe did there elect and chuſe *John Puckering* Serjeant at Law their Prolocutor (who had been Speaker alſo the laſt Parliament.)

Nota, That there is not any one word of all this before ſet down in the Original Journal-Book of the Houſe of Commons *de annis iſtis* 28^o & 29^o *Reginæ Eliz.* which is very defective not only here but in ſome other places thereof: but that which is before ſet down is for the moſt part gathered out of the Original Journal-Book of the Upper Houſe, and only perfected in ſome places in matter of form, and yet the Titles of the aforeſaid three daies are ſet down in three blank Pages.

On *Monday* the 31th day of *October* her Maſteſties Perſon was again repreſented by thoſe aforeſaid three Lords Commiſſioners conſtituted by her Maſteſties Letters Patents on *Saturday* the 29th day of this inſtant *October* foregoing.

Theſe being ſet in the Upper Houſe with divers other Lords in their Parliamentary Robes, the Knights, Citizens and Burgeſſes of the Houſe of Commons had notice thereof and repaired thither with *John Puckering* Serjeant at Law their Speaker, who was according to the uſual courſe preſented unto the ſaid Lords Commiſſioners, and by them admitted; who answered to theſe his three Petitions of courſe made in the name of the Houſe of Commons for liberty of Acceſs, for freedom of Speech, and freedom from Arreſts and Suits, and laſtly for Pardon for himſelf, that the ſaid Houſe of Commons and himſelf ſhould enjoy and uſe all ſuch priviledges and freedoms as had in the like caſe been enjoyed by any others in the times of her Maſteſties moſt noble Progenitors. Whereupon the ſaid Knights, Citizens and Burgeſſes with their Speaker departed to their own Houſe.

Nota, That there is not any word of all this preſentment of the Speaker in the Original Journal-Book of the Houſe of Commons, but only the very Title of the day is thus ſet down in a blank Page thereof *Lunæ xxxj. Octobris 1586.* and the whole matter enſuing by the great negligence of *M^r Fulk Onſlow* at this time Clerk of the Houſe of Commons is wholly omitted, which alſo happened in the ſetting down of the three foregoing days of this Journal, upon the two firſt of which the Parliament had been further Prorogued, and upon the third received its beginning: in all which the Titles only of the days are ſet down in the upper part of three ſeveral blank Pages (as is beforeſaid) with intention doubtleſs at firſt to have inſerted the paſſages of each day; and therefore it is the more ſtrange that it was never perfected, and argueth the greater neglect, becauſe the ſaid *M^r Onſlow* did live many years in the place of Clerk of the Houſe of Commons after the Diſſolution of this Parliament, by which means, if theſe foregoing day had not been ſupplied out of the

Original Journal-Book of the Upper Houſe, this other Journal of the Houſe of Commons had remained very imperfect and unuſeful.

And yet at the end of the aforeſaid blank Page or bottom thereof, in which the Title of this preſent *Monday* the 31th day of *October* is inſerted, there followeth the reading of one Bill, which is uſually done after the Knights, Citizens and Burgeſſes of the Houſe of Commons do return from the Upper Houſe with their Speaker newly admitted upon their preſentment of him; which ſaid Bill read at this time upon their return is entred in manner and form following, *viz.*

The Bill touching Inrollments the firſt reading.

After the reading of this Bill the Houſe did without all queſtion Adjourn it ſelf unto *Thursday* the third day of *November* enſuing, although there be no mention thereof in this ſaid Journal-Book of the Houſe of Commons, which muſt (as all other defects) be imputed to the former neglect. And yet this Adjournment may be collected, not only by a like Adjournment of the Lords unto *Friday* the 4th day of *November* aforeſaid, and by other Adjournments very frequent in the Houſe of Commons during this firſt meeting of the preſent Parliament; but alſo out of the very Entrance of the ſaid *Thursday* following, which is on the very next Page after the Entrance of the before mentioned Bill, which is never uſed to be done if any other days paſſages ſhould have intervened between. And therefore it would not be amiſs now once for all to obſerve the cauſe and ground why the Houſe of Commons did ſo often at this firſt meeting of this Parliament Adjourn it ſelf contrary to the uſual practice both of former and latter times, which was no other than the handling of that great and unuſual buſineſs touching the *Scottiſh* Queen, and leaving or forbearing to treat of other ordinary matters uſual in the Houſe.

For by this means it happened that the Original Letters and other proofs produced againſt the ſaid *Scottiſh* Queen for the diſcovery of her being guilty of the Treſon plotted by *Ballard*, *Babington* and others, being all firſt laid open and urged before the Lords in the Upper Houſe, and not at large diſcuſſed in the Houſe of Commons till they had been derived unto them from the ſaid Upper Houſe by ſeveral Committees; It was the only means and cauſe that the ſaid Houſe of Commons did for want of matter and imployment ſo often Adjourn it ſelf: Whereas uſually at other times the paſſing of Bills with the matter of Subſidy and publick grievances being firſt debated in the ſaid Houſe and from them derived to the Lords, their Lordſhips are often neceſſitated in the beginning of each Parliament for want of like imployment to Adjourn themſelves.

On *Thursday* the third day of *November*, to which day the Parliament had been on *Monday*

Vide de tota iſta materia in Annal. Eliz. à Cambd. ſcript. Edit. Lugd. Bat. 1625. à p. 432. ad p. 472.

day the 31th day of *October* foregoing last adjourned, Mr Speaker shewed unto the House, that he received Commandment from my Lord Chancellor from her Majesty to signifie unto them, that her Highness was sorry this House was troubled the last sitting thereof with the matter touching the chusing and returning of the Knights for the County of *Norfolk*: a thing in truth impertinent for this House to deal withal, and only belonging to the Charge and Office of the Lord Chancellor, from whence the Writs for the same Elections issued out, and are thither returnable again. And also that her Majesty had appointed the said Lord Chancellor to confer therein with the Judges. And so thereupon examining the said Returns, and the Sheriff, touching the matter and circumstances of his proceedings in the said Elections, to set down such course for making the true Return as to Justice and Right shall therein appertain.

Two Bills had each of them one reading; of which the first being the Bill for *Orford-Haven*, had its first reading; and the second being the Bill touching Inrollments, had its second reading.

One of the House offering to speak to this Bill, Mr Vice-Chamberlain stood up, and shewed unto this House, that having matter of most great importance to deliver unto this House from her Majesty, he was so bold with their good favours for this time to interrupt the Speech intended to the said Bill by the Gentleman that offered to speak to the said Bill; and so then shewed, that her Majesty thinking that all those of this House which were lately in the higher House when the Lord Chancellor declared the cause of her Highnesses summoning of this Parliament, could not hear the same, and also that many of the Members of this House now here present, were not then come up or returned, commanded him to deliver unto this House the summary cause of her Majesties calling and assembling of this great Council at this time, which was (he said) not to make any more Laws as being many more already than well executed, nor yet for any Subsidy, albeit, if need so required, the same were convenient enough to be done; but (said he) to consult for such matters as the like were never erst heard of, nor any Parliament called for in former time that can be found or read of. And so very excellently, plainly and effectually made relation of the horrible and wicked practices and attempts caused and procured by the Queen of *Scots* so called, meerly tending to the ruine and overthrow of the true and sincere Religion established in this Realm, the Invasion of Foreign Forces into this Realm, Rebellion and Civil Wars and dissension within this Realm: yea and withal (which his heart quaked and trembled to utter and think on) the death and destruction of the most Sacred Person of our most Gracious Sovereign Lady the Queens Majesty, to the utter desolation and conquest of this most Noble Realm of *England*. And so discouring of the matter

and great execrable Treacheries and Conspiracies of the said Queen of *Scots* even from the first to the last in particularities very amply and effectually (such of them at the least as have been hitherto discovered) shewing also very manifestly and evidently the proofs and all other circumstances of the same Treachery and Conspiracies; and so thinketh good for his part that speedy Consultation he had by this House for the cutting of her off by course of Justice, for that otherwise our said Sovereign Lady the Queens Majesties most Royal Person cannot be continued with safety, concludeth with this Sentence,

Ne pereat Israel, pereat Absolon.

Which done, Mr Chancellor of the Exchequer, Mr Chancellor of the Dutchy, and Mr Secretary *Woolley* using each of them severally very effectual Speeches at large touching the said horrible Treasons and Conspiracies caused and procured by the said Queen of *Scots*, the House did then rise, the time being far spent, with reservation nevertheless by Mr Speaker remembred for further Speech therein to be had by others of this House to morrow again, and a saving also till some other more convenient time for such of this House as shall please to speak to the said Bill of Inrollments upon the said second reading of the same accordingly. *Vide 7th November, Monday.*

On *Friday* the 4th day of *November* Mr Recorder of *London* having made Declaration unto this House, that divers of the Members of the same do find themselves grieved for that their Servants attending upon them, are daily arrested contrary to the ancient Liberties and Priviledges of this House, and having further moved also that a like Committee of this House may at this time be appointed, as had been the last Parliament for the examining and reporting Cases of Priviledge; It was resolved and agreed by the House, that the same shall be exercised and done accordingly: And for the performance thereof the said Mr Recorder, Sir *Henry Gate*, Mr *Robert Wroth* and Mr *William Fleetwood* were appointed by the Authority of the House.

Upon the Motion of Mr Speaker putting the House in remembrance of continuing and further prosecuting of the great Cause they dealt in: yesterday divers Speeches were made to that effect by Sir *James Croft* Comptroller of her Majesties Household, Sir *Francis Knowles* Treasurer of the same, Sir *William Herbert*, Sir *Thomas Scot*, Mr *Francis Bacon*, Mr *Alford*, Mr *Throgmorton*, Mr *Barker*, Mr *Dalton*, Mr *Baynbrigg*, and Mr *Sollicitor*; by all which it was concluded, That considering the late horrible Treasons and Practices conspired against the Life of the Queens Majesty, and also for the procuring of Foreign Invasion in respect of the Attempt; and also for endeavouring to raise Rebellion within the Realm for and by *Mary* late Queen of *Scots*, therefore of necessity present remedy and provision must be had for preventing the like at-

tempts and practices hereafter, which could never be, unless the said Scottish Queen did presently suffer the due Execution of Justice according to her deserts.

And then upon the further Motion of the said Mr Solicitor for a Committee of this House to be had to confer of some convenient and fit course to be taken by Petition and Suit to her Majesty in that behalf, with request also unto the Lords to joyn therein with this House to her Highness, if it please them; thereupon this Committee following was nominated and appointed in that behalf accordingly, viz. all the Privy Council of the House, Sir William Herbert, Sir Thomas Scot, Sir Henry Gate, Sir William Moore, Sir Thomas Manners, Sir Thomas Fairfax, Sir Robert Jermin, Sir John Petre, Sir Henry Cock, Sir Henry Cobham, Sir Henry Knyvet, Sir John Higham, Sir Thomas Stanhope, Mr Fortescue Master of the Wardrobe, Mr Randal, Mr Osborne, Mr George Moore, Mr Cromwell, Mr Beale, Mr Wroth, Mr Burlace, Mr George Carie, Mr Doctor Stanhopp, Mr Dale, Master of Requests, Mr Francis Hastings, Mr Solicitor, Mr Attorney of the Wards, Mr Serjeant Snagg, Mr Morrice, Mr Sandes, Mr Dalton, Mr Bacon, Mr Alford, Mr Barker, Mr Bainbrigge, Mr Throckmorton, Mr Corbett, Mr Palmes, Mr Pate, Mr Skinner, Mr Amersam, Mr Edward Lukenor, Mr Thynne and Mr Hellyard Recorder of York, who were all of them appointed by the House to meet in the Exchequer Chamber at two of the Clock this Afternoon.

On Saturday the 5th day of November Mr George Moore entring into some discourse touching the great Cause, concludeth (after sundry great and weighty reasons first shewed) that only Popery is the chief and principal root of all the late horrible and wicked treacheries and practices, and the Queen of Scots a principal branch issuing from the same root, and the most perilous and full of poyson of all the other branches thereof, for that the Papists in very deed for the most part not knowing the Person of the said Queen of Scots do wish the Establishing of her in the Crown of this Realm rather in respect of Popery which she would set up, than for any affection they bear to her Person, and so likewise for the most part all of them either wish or could easily bear the death of our Sovereign Lady the Queens Majesty, though perhaps they would not shew themselves to be Actors or Dealers therein. He therefore moveth that it may be joyned in the Petition for the great Cause, that her Majesty may be moved to retain no Servants about her Highnesses Person, but such only as may be well known both to profess the true and sincere Religion, and also to be every way true and faithful Subjects. And further, that the Laws already in force against Papists may be put in due Execution. Which Speeches being ended Mr Speaker shewed that the said Motion or any other tending to the safety of her Majesties Person may be very well delivered and remembered to the Committees in the great Cause by any member of the House.

Mr Dennis Hollis offereth a Bill to this House in the behalf of the Curriers of London. Whereupon Mr Speaker put the House in remembrance of her Majesties pleasure before signified unto this house; to forbear the making of new Laws and to spend the time in the great Causes for which this Parliament was specially summoned; yet because in the mean time of dealing in the said great Cause in Committee or otherwise, there should be nothing to occupy the House withal, it is thought good at such times to have some Bills read in the House (reserving always due regard and place to the said great Cause. And thereupon the said Bill was read accordingly.

The Bill touching the Curriers was read the first time.

The Bill also for limitation of time touching Writs of Error growing by fraud, had its first reading.

Mr Chadley one of the Knights returned for the County of Devon offereth a Bill to this House touching Cloth-making within the said County, out of Cities, Market Towns and Corporate Towns. Whereupon the said Bill was then read accordingly.

The Bill touching Clothiers in the County of Devon had its first reading.

Edmund Moore of Shoreditch in the County of Middlesex Tallow-chandler, and John Turner of the same Butcher, being both of them in the Serjeants Custody for presuming to come into this House (sitting the House) and being no Members of the same; it is, upon opinion that they did it of ignorance and meer simplicity, and not of any pretended purpose, and also upon their humble submission of themselves unto this House, and like humble request and Petition of Pardon for the same, Agreed by this House, that they shall be discharged and set at Liberty, taking first the Oath of Supremacy openly in this House, which they so then did and afterward departed.

On Munday the 7th day of November, The Bill touching Fines and Recoveries levied before the Justices of the Common Pleas, whereunto any of the said Justices are parties, was read the first time.

Sir William Herbert being returned into this House Knight for the County of Monmouth offereth a Bill into this House for the relief of certain Orphans within the said County of Monmouth, and prayeth that the same Bill may be read; which was so then read accordingly.

The Bill for relief of certain Orphans in the County of Monmouth had its first reading.

Mr Bulkely offereth a Bill unto this House touching Clothes made in this Realm to be shipped and transported over the Seas, and prayeth the same may be read; which was thereupon so done accordingly.

The Bill touching Clothes made to be transported over the Seas had its first reading.

Sir Robert Jermin likewise offereth another Bill

Bill touching Clothiers and Cloth-making in the Counties of *Suffolk* and *Essex*, and prayeth the reading thereof, which in no wise he would have moved, if the House should have been any ways occupied in the great Cause; the speedy course and proceeding whereof he most earnestly desireth and prayeth.

The Bill touching Clothiers and Clothes made in the Counties of *Suffolk* and *Essex* was read the first time.

Mr Vice-Chamberlain shewed that the Committees in the great Cause did meet according to the Commission therein of this House unto them, and that then also they did appoint another Meeting therein to be this Afternoon; and shewed withal, That some of the Committees of this House, being of the Privy Council, do understand that the Lords will not in this great and weighty Cause any way deal or meddle amongst themselves, nor in any other matter besides, until they shall have first heard therein from this House for Conference to be prayed with them by this House; and therefore moved, That now whilst their Lordships do yet sit, the Privy Council with some few others of this House be presently sent to their Lordships to move for Conference, and to know their Lordships pleasure for the time and place of Meeting. Whereupon for that purpose it was ordered, That all the Privy Council being of this House, Sir *Henry Gate*, Mr Solicitor and Sir *William Moore* should presently repair to their Lordships to the higher House; who did so accordingly.

It should seem that in the mean time after the going up of Mr Treasurer and the rest, and before their return from the Lords, these matters following were handled, *viz.*

The Bill touching *Orford-Haven* was read the second time, and thereupon committed unto Sir *Robert Jermin*, Sir *John Higham*, Sir *Henry Cobham*, Mr *Cromwell*, Mr *Laver*, and all others that were Committees in the same Cause the last Parliament, to meet to morrow in the Afternoon in the Middle Temple Hall at three of the Clock.

After sundry Speeches to the Bill touching Inrollments upon the second reading thereof, and being then reserved to convenient time, and this present time falling out to be convenient for that purpose, it is upon the question both for the committing and ingrossing quite dashed and rejected.

The Bill touching Curriers had its second reading.

Mr Treasurer and the residue of the Committees being returned from the Lords (as it should seem much about the time that the House had finished the disputing and reading of the foresaid Bills) he shewed that he and the residue have according to the Appointment of this House moved the Lords for Conference touching the said great Cause, which their Lordships did very well like of, and have appointed that the former Committees of this House in the said Cause do

meet this Afternoon in the Parliament-Chamber with such Committee of their Lordships, as their Lordships for that purpose do appoint: which (he saith) he thinketh to be twenty or thereabouts. And so thereupon were the Names of the said Committees of this House read, and they required to give their Attendances therein at the said time and place accordingly.

On *Tuesday* the 8th day of *November* Mr Doctor *Turner* shewed unto this House, That he is fully perswaded that her Majesties safety cannot be sufficiently provided for by the speedy cutting off of the Queen of *Scots*, unless some good means withal be had for the rooting out of Papistry, either by making of some good new Laws for that purpose, or else by the good and due Execution of the Laws already in force; which, as he greatly wisheth and referreth to the grave consideration of this House: so concluding in his own Conscience that no Papist can be a good Subject, he did offer a Bill to this House containing (as he thinketh) some convenient form of matter tending to the effect of his Motion; and prayeth the same may be read. Whereupon Mr Speaker finding the Title of the said Bill to purport the Safety of her Majesties Person, putteth the House in remembrance that by their own appointment and direction that matter was referred to certain Committees of this House who had not only had Conference thereof amongst themselves, but also with Committees of the Lords yesterday, and must so have again this day also in the Afternoon: And sheweth further, That yesterday upon the like Motion of this made by another Gentleman of this House, it was agreed, That all such matters as then were or should be offered unto this House tending to the preservation of her Majesties Person, should be delivered and referred to the said Committees to be joyned in the Petition to be exhibited to her Highness on the behalf of this House, and so wished this might also be, without reading the said Bill, or further proceeding therein by this House, until the said Committees should first have reported unto this House their travail with the Lords in the said Cause, which he thought would be to morrow. And after sundry Speeches to that end uttered by Mr *George Moore*, Sir *Henry Knyvet*, Mr Treasurer and Mr *Francis Hastings*, it was referred to be imparted to the said Committees accordingly, and therefore the Bill not to be read as yet in this House.

Sundry Speeches being had touching the Liberties of this House, and of the preservation of the same Liberties about the matter of the Examination of the Returns of the Knights for the County of *Norfolk*, and some arguing one way, and some another, the time so passing away, the House did rise, and nothing then resolved thereof at all. And then also at the rising of the House, it was moved, That in respect of the meeting of the Committees in the great Cause with the Committees of the Lords this Afternoon, the meeting of the Committees in the Bill

for *Orford Haven* (likewise appointed for this Afternoon) might be deferred till some other more convenient time.

On *Wednesday* the 9th day of *November* after some Motions and Speeches had touching the Liberties of this House in the examination and Judgment of the returns for the Knights for the County of *Norfolk*, It is upon the question resolved, that M^r Comptroller, M^r Treasurer, M^r Recorder of *London*, M^r Serjeant *Snagg*, M^r *Cromwell*, Sir *William Winter*, Sir *Henry Knyvett*, M^r *Thomas Knyvett*, M^r *Alford*, M^r *Drew*, M^r *Harris*, Sir *William Moore*, M^r *Morrice*, M^r *Sandes* and M^r *Sanders*, be appointed Committees by this House to examine the state and circumstances of the said Returns, and to meet for that purpose to morrow in the Afternoon at two of the Clock in the Exchequer Chamber. And also that M^r *Watson* Clerk of the Crown in the Chancery, and also the Under-Sheriff of the County of *Norfolk* do then and there attend upon the said Committees in the exercise of the said Examinations accordingly. And further, that thereupon the said Committees or some of them do signifie unto this House upon *Friday* next in the Forenoon the state of the said matter as they shall find it upon the said Examination; to the end this House may then take such further course therein as in that behalf shall be thought meet and convenient.

This day report was made by M^r *Thomas Cromwell* that eleven of the Committees appointed by this House to examine the state and circumstances of the Writs and Returns made of the Knights for the County of *Norfolk* had according to their Commission met yesterday, and that the Clerk of the Crown had brought before them as well the Writs as their Returns; upon view whereof it appeared that two several Writs had issued out of the Chancery directed to the Sheriff of *Norfolk* for choice of the Knights of the Shire of that County, the first dated the 15th day of *September*, the second dated the 11th day of *October*. The first appeared by the return to have been executed the 26th day of *September*, the second executed the 24th of *October* which was after the Parliament was to have had its beginning. By the first Writ M^r *Thomas Farmer* and M^r *Gresham* were returned to be chosen Knights; by the second M^r *Christopher Heydon* and the said M^r *Gresham*. That by the examination of the Clerk of the Crown it appeared unto them, that the first Writ with the return was brought and offered unto him by the Under-Sheriff the 15th day of *October*, when as the Parliament was to have had its beginning, and that with that Writ the Burgeses for the Boroughs of the County were also brought, which then notwithstanding he received not. That after about the 29th day of *October* both the said Writs were delivered unto him. It was further declared that the said M^r *Heydon* with his Council and the said M^r *Farmer* in person, and also the Under-Sheriff

had been before the Committees; that M^r *Gresham* as being returned by both the Writs had not been before them; that they had examined M^r *Heydon* and his Council what exceptions they could take to the Execution of the first Writ: who then alledged two causes, the one that due Summons was not given to the Freeholders of the Shire, the other that Proclamation was not duly made. That thereupon they examined the Under-Sheriff, who in their presence affirmed, that the Writ was delivered to the High-Sheriff on the *Saturday*, which he received on the *Sunday*, the County day being on *Monday* following; On which day he was bound by Law to execute his Writs: by which means he had not leisure either to summon many, or any day left wherein he might by Proclamation notify it in the Country. That on the said *Monday* between eight and nine of the Clock three solemn Oyes were made, and the Queens Writ publicly read, and all Circumstances used which the Law required: wherein he was the more careful, for that it was commonly bruted, that there would be variance about the Election. That the Election was so expected in the Country, that by his Estimation there were three Thousand Persons at the same; And that M^r *Farmer* had the Voices without denial; that M^r Justice *Windham*, Sir *Thomas Knyvett*, Sir *Nicholas Bacon*, Sir *Henry Woodhouse* and divers other Justices of the Peace, Esquires and Gentlemen of great calling, were at the Election, and gave their Assents to the same, and set their Hands and Seals to the Indenture. Upon consideration of the whole matter it appeared unto them, that the first Writ and Return were in matter and form perfect and duly executed; the second Writ they thought could not be available; besides that the precedent was perillous for the time to come, in respect that it appointed two others to be Chosen. The effect of the Writ besides not observed; for that M^r *Gresham* one of the same was chosen by the first Writ. They further declared, that they understood that the Lord Chancellor and divers of the Judges having examined the matter, were of the same opinion. He declared further, that one of the Committees had moved, that two of the Committees might have been sent to understand of my Lord Chancellor what he had done in the matter, which the rest of the Committees thought not convenient, first in respect they were satisfied therein by divers of their Committees, and also for that they thought it prejudicial to the privilege of the House to have the same determined by others than such as were Members thereof. And though they thought very reverently of the said Lord Chancellor and Judges, and thought them competent Judges in their places; yet in this case they took them not for Judges in Parliament in this House. And thereupon required that, if it were so thought good to the House, M^r *Farmer* and M^r *Gresham* might take their Oaths and be allowed of by force of the first Writ, as allowed by the censure of

of this House, and not as allowed of by the said Lord Chancellor and Judges. Which was agreed unto by the whole House, and ordered to be entred accordingly.

This Case before set down touching the Election of the Knights for the County of *Norfolk*, containeth in it many curious and very useful points. The Case was singly this:

The Sheriff of *Norfolk* receives a Writ touching the Election of two Knights for that County but two days before the next County-day, in which he is bound by Law to see it executed. By reason of this shortness of time he could neither summon many Freeholders, nor make due Proclamation in the County any one day before the said Election. The Sheriff notwithstanding on the said County-day proceeds to the Execution of the said Writ, and Mr. *Farmer* and Mr. *Gresham* are duly chosen according to all points and circumstances in such like case required; there being not only a great appearance of Freeholders, but divers also of the eminentest Gentlemen of the said County, who after they had given their Voices to the said Election, did also set their Hands and Seals to the Indenture of the same in that case usual. After this a second and new Writ is delivered to the said Sheriff for a new Election to be made, which is in all points executed without any the least colour of misfeasance, and by it Mr. *Heydon*, and Mr. *Gresham* (being one of the two first that had been before Elected) were chosen, and the Indenture of their said Election, together with the Writ, were delivered in unto the Clerk of the Crown, together with the Writ and Indenture of the former Election. After which the Lord Chancellor and the Judges meeting about it do resolve, That the first Writ was well executed, the first Election good, and the second absolutely void; and of this their resolution do give the House of Commons notice.

In which case these points following were resolved by the whole Body of the said House.

First, That the said first Writ was duly executed, and the Election good, and the second Election absolutely void.

Secondly, That it was a most perillous Precedent, that after two Knights of a County were duly Elected, any new Writ should issue out for a second Election without order of the House of Commons it self.

Thirdly, That the discussing and adjudging of this and such like differences, only belonged to the said House.

Fourthly, That though the Lord Chancellor and Judges were competent Judges in their proper Courts, yet they were not in Parliament.

Fifthly, That it should be entred in the very Journal-Book of the House, that the said first Election was approved to be good, and the said Knights then chosen, had been received and allowed as Members of the House, not out of any respect the said House had or gave to the Resolution of the Lord Chancellor and Judges there-

in passed, but meerly by reason of the resolution of the House it self, by which the said Election had been approved.

Sixthly and lastly, That there should no Message be sent to the Lord Chancellor, not so much as to know what he had done therein, because it was conceived to be a matter derogatory to the Power and Privilege of the said House. Concerning all or the most of which particulars see more upon *Friday* the 11th day of this instant *November* ensuing.

Sir *Christopher Hatton* her Majesties Vicechamberlain (presently as it seemeth after the discussing of the former Election) fell upon the debating of the great Cause touching the Scottish Queen, and shewed, That the Committees of the Lords in the great Cause, and also the Committees of this House in the same Cause had Conference together yesterday in the Afternoon, and resolved upon a Petition unto her Majesty in the Name of both Houses to be exhibited, as afterwards it was on *Saturday* the 12th day of this instant *November* unto her Highness, by the Lord Chancellor in the Name of the Lords of the higher House, and by Mr. Speaker in the Name of this House, as the joynt Petition of both Houses for Proclamation and Execution of the Sentence of the Lords and others the late Commissions at *Fotheringhay* in the proceedings there against *Mary* called the Queen of *Scots*. And that because the said Committees of both Houses thought the said Petition would be too long if it should comprehend the whole course and manner of the said proceedings; yet they thought it necessary, that in both Houses the whole course of the same proceedings should be signified and read this present day, to the end each Member of both the said Houses might understand the whole matter and manner of the same course of proceedings to their full satisfactions. And that then afterwards also the same uniform Petition likewise be read in both the said Houses; with reservation nevertheless and liberty to both the same Houses, and to every Member of the same House, to shew and infer to the said Lord Chancellor for the Lords, and to Mr. Speaker for this House, any other reasons whatsoever (besides those contained in the said Petition) which they shall think meet to be remembered to her Majesty for the better furtherance of obtaining their humble Suit at her Majesties hands contained in the said Petition. And shewed further, That the said Committee of the Lords willed the said Committees of this House, that the Lords now sitting this Forenoon in the higher House, might hear from this House this Forenoon also of the liking or acceptation of this House in the said form and course of proceeding in the said Petition. Which thing himself after a long time spent in the reading of part of the said Record of the said proceeding in the said Commission at *Fotheringhay*, and foreseeing also that the finishing of the reading thereof, would require so much more time as was very like could not well be

be done before the Lords should rise ; moved, That one or two of this House might in the mean time of reading the residue of the said Record of the said Course of proceedings, repair to their Lordships, and signifie unto them the same from this House, to know their Lordships pleasure for some other time. for the Committees of this House to intimate unto their Lordships the good liking of this House conceived of the matter of the said Petition. And thereupon were appointed Mr Treasurer and Mr Vice-Chamberlain, who going then presently to the Lords, and returning again afterwards, Mr. Vice-Chamberlain shewed, that the Message they brought again from the Lords was very short, to wit, that their Lordships did appoint for that purpose to morrow in the Forenoon. And afterwards the same Record of the whole course of the said proceeding in the said Commission being read, and the said Petition then read also, Mr. Vice-Chamberlain moved that this House would be Suitors to the Lords to have the said Petition entred and inrolled in the said higher House, there to remain of Record as an Act. And thereupon it was upon the Question resolved by the whole House, That the said Request should be made to their Lordships in that behalf by the said Committees on the morrow, when they deliver unto their Lordships the full and whole good liking of this House had of the said Petition. Then Mr. Speaker moved, That for as much as by reason of the shortness of the said Petition he is appointed by this House to yield reasons unto her Majesty in such objections as should please her Highness to make touching the Contents of the said Petition, the House would deliver him in writing, for his better memory and the righter direction of their Service imposed upon him in that behalf, such reasons as they should think meet for him in their Names to remember unto her Majesty. And thereupon it was ordered, That the said Committees of this House and every other Member of this House that would, should meet at two of the Clock in the Afternoon of the same day in the Exchequer-Chamber, and there shew and deliver such reasons inferring the necessity of the said Petition, or other matter tending to the safety and preservation of her Majesties most Royal Person, as to every or any Member of this House should seem meet and convenient. And upon another Motion of Mr. Speaker, that some of her Majesties Privy Council being of this House, might be requested by this House to make humble Suit to her Majesty for Access of some competent number of this House unto her Highness accordingly, It was prayed and agreed by the whole House, that Mr. Vice-Chamberlain do the same. And so then the House did rise, and adjourned the Court until the *Friday* next following, upon a former request then a little before made by Mr. Speaker for sparing his Service till then, in respect he might in the mean time the better bethink and prepare himself to attend upon her Highness in performance of their said

Charge so as before imposed upon him.

On *Friday* the 11th day of *November* the Committees in the Bill for *Orford-Haven* (whose Names see before on *Monday* the 7th day of *November*) are appointed to meet this Afternoon at three of the Clock in the Middle Temple Hall.

Mr. *Cromwell* one of the Committees for the Examination of Writs and the Returns for the Knights of the County of *Norfolk* (which said Committees Names see on *Friday* the 4th day of *November* foregoing) maketh report, That yesterday eleven of them met, and upon view of the Dates of the same Writs and Returns, and upon Conference by them then also had with the Clerk of the Crown and Under-Sheriff of *Norfolk* touching the manner of executing of the same Writs and Returns, and hearing all such parties grieved, with their learned Councel, as repaired then to them for that purpose; they do find, that the first Writ and Return both in manner and form was perfect, and also duly executed, and the second Writ not so; and that besides it might also be a perillous Precedent for the time to come to the Liberty and Priviledge of this House, to admit or pass over any such Writ or Return in such manner and course as the said second Writ carrieth. And further declared, That they understood by the said Clerk of the Crown, that the Lord Chancellor had then lately commanded him to receive and accept the said first Writ and Return, by the which Mr. *Farmer* and Mr. *Gre-sham* were elected and returned, as the Writ rightly and duly executed, and did also understand by Mr. Recorder one of the said Committees, That Sir *Edmund Anderson* Lord Chief Justice of the Court of Common Pleas had also shewed him, that the said Lord Chancellor and the Judges had resolved, That the said first Writ should be returned as that which was in all parts duly and rightly executed, and not the second. And shewed further, That one of the Committees assenting with the residue in opinion of validity of the said first Writ and Return, and of the invalidity of the said second, and also in resolution that the explanation and ordering of the Case as it standeth, appertaineth only to the Censure of this House, moved notwithstanding in the Committee, That two of the Committees might be sent to the said Lord Chancellor to understand what his Lordship had done in the matter; which the residue thought not convenient, first, for that they were sufficiently satisfied therein by divers of themselves, but principally in respect they thought it very prejudicial and injurious to the Priviledge and Liberties of this House, to have the said Cause decided or dealt in in any sort by any others than only by such as are Members of this House: and that albeit they thought very reverently (as becometh them) of the said Lord Chancellor and Judges, and know them to be competent Judges in their places; yet in this case they took them not for Judges in Parliament in this House: and so further required,

red, that (if it were so thought good) Mr. *Farmer* and Mr. *Gresham* might take their Oaths, and be allowed of and received into this House by force of the said first Writ; as so allowed and admitted only by the censure of this House, and not as allowed of by the said Lord Chancellor or Judges. Which was agreed unto accordingly by the whole House, and so Ordered also to be set down and Entred by the Clerk.

Mr. Treasurer one of the said Committees in the said Examination sheweth for his part his privacy and assent unto the whole recited course of proceeding in the said Committee as it hath been declared by Mr. *Cromwell*; and that before himself, the said Mr. *Farmer* hath already pronounced and taken his Oath. Shewing further withal that in the Committee he moved that some might be sent to the Lord Chancellor to know what his Lordship had done in the matter, which he then thought, and yet still doth think necessary to have been done, as one of the circumstances of the said examinations, and not for want of any satisfaction otherwise, but only in respect of the orderly proceeding in the Commission unto them by this House, tending to circumstances of the matter, of which he thinketh one to have been to send as aforesaid unto the said Lord Chancellor, though they were resolved by themselves amongst themselves before.

Mr. Recorder of *London* making a large and plentiful discourse of the ancient priviledges and liberties of this House, furnished with recital of sundry Precedents and examples, and lastly coming down to the matter in hand, sheweth, that Sir *Edmund Anderson* Knight Lord Chief Justice of the Commons Pleas told him this morning, that the said Lord Chancellor and the Judges had resolved, that the said first Writ ought to be returned, and had so given order to the Sheriff and Clerk of the Crown; And that he thereupon answered the said Sir *Edmund Anderson* again, that the censure thereof belonged unto this House and not unto them, and that he for his part would take no notice thereof at their hands of their so doing, but only by way of instructions and not otherwise. And so concluded with the allowance of the good course and order of this House in setting down and entring the said Judgement accordingly as before.

Mr. Vice-Chamberlain shewed unto the House, that according to their appointment he hath been an humble suitor unto her Majesty on the behalf of this House for access there to be had unto her Highness, to exhibit their Petition unto her Majesty; And that her Majesty thereupon hath very Graciously granted to hear them at the Court upon to morrow next between one and two of the Clock in the Afternoon: signifying also unto them further, that her Majesty having heard that the Lords do appoint them twenty of themselves of the Higher House to attend her Majesty also for the same purpose; so her Highness thinketh meet that forty of this House were

likewise appointed for this House, which She thinketh to be a sufficient number; but is nevertheless well pleased if the House shall think good, to send a more or greater Number at their discretions, but leaveth the same to their own considerations.

Which her Majesties most Gracious Favour, as the whole House did take it in most joyful and dutiful part; So did they then desire the said Mr. Vice-Chamberlain, that he would in the name of this whole House present unto her Majesty their most humble and dutiful thanks for the same her Highnesses most gracious clemency and great loving kindness towards them. Which so to do, the said Mr. Vice-Chamberlain told them he purposed (God willing) in the Afternoon of this present day.

And these were appointed by this House to attend upon her Majesty to morrow at the Court, as many of the former Committees as would (whose names see at large on *Friday* the 4th day of this instant *November* foregoing) and also Sir *Henry Barkeley*, Sir *William Moham*, Sir *Edward Dymocke*, Sir *Thomas Jones*, Sir *Henry Bagnell*, Sir *Andrew Nevill*, Sir *Henry Knyvet*, Mr. *Farmer*, Sir *Edward Osborne*, Mr. *Henry Bromley*, Mr. *Ralph Horsey*, Mr. *James Croft*, and Mr. *Tasborough* then added unto them; which done, upon a Motion, that for as much as the Knights for the County of *Norfolk*, and the Burgeses for all the Boroughs within the same County (saving only the Citizens for the City of *Norwich*) were returned and certified into this House this present day, and not before, the Petition might therefore be read again in this House in the presence of the same Knights and Burgeses, to the intent that they being made privy thereof, might also yield their Assents to the same Petition; whereby, the rather, the same being for a matter of so great moment, might in very deed be the Action of the whole House then being possessed and consisting of all the Members thereof; the same Petition was read by the Clerk, and well liked of, agreed unto and allowed by the voices of the said Knights and Burgeses upon the question thereof unto them made in that behalf by Mr. Speaker.

And afterwards Mr. Vice-Chamberlain made a motion, that Mr. Speaker be put in remembrance by this House, besides the residue of his reasons to be shewed to her Majesty for maintenance of the parts of the said Petition; to urge (if need be) to her Majesty the matter and necessity of the late Instruments of Association, respecting especially the Consciences of a great number of her Highnesses good and Loyal subjects, which cannot be dispensed with by Laws; whereupon request was so made by the House to Mr. Speaker accordingly.

Mr. Treasurer shewed, that yesterday he and others of the Committees in the great Cause presented unto the Lords in the Upper House the Request of this House unto their Lordships to have the said Petition entred and recorded in the

the Upper House, there to remain as an Act. Whereunto their Lordships assented, and willed that the same might first be ingrossed in Parchment, and so delivered to their Lordships this present Forenoon; shewing further, That the Clerk of this House then had the same already ingrossed and exact accordingly, but that the same could not that day be sent to their Lordships, for that their Lordships did not sit this Forenoon, and therefore he said it must be delivered at some other time. And so then the House did rise, and this Court was adjourned till Monday next following.

Memorandum, That in the Afternoon of this present day the said Petition ingrossed was delivered into the hands of the Lord Chancellor by the Appointment of Mr. Speaker, and so left with his Lordship.

The Petition against the Scottish Queen presented unto her Majesty, Nov. 12. On Saturday the 12th day of November (although the House of Commons fate not any part of the day in their proper place) yet in the Afternoon according to her Majesties direction sent unto the House yesterday by Sir Christopher Hatton her Vice-Chamberlain, John Puckering Serjeant at Law their Speaker, with all the Privy Council and divers other Members of the said House (whose Names see before on Friday the 4th day, and on Friday the 11th day of this instant November last past) repaired to her Majesty unto the Court, there to joyn with Sir Thomas Bromley Lord Chancellor and twenty Temporal Lords of the Upper House in presenting a certain Petition (which had been agreed upon by both Houses) unto her Highness for the speedy Execution of Mary late Queen of Scots, according to that just Sentence which had been pronounced against her.

And to move her Majesty thereunto, the said Speaker of the House of Commons did use many excellent and solid reasons, which were all found in a certain Memorial written with his own hand, being as followeth.

Unless Execution of this just Sentence be done,

1. Your Majesties Person cannot any while be safe.

2. The Religion cannot long continue amongst us.

3. The most flourishing present State of this Realm must shortly receive a woful Fall.

4. And consequently in sparing her your Majesty shall not only give courage and hardiness to the Enemies of God, of your Majesties self, and of your Kingdom; but shall discomfort and daunt with despair the hearts of your loving People, and so deservedly provoke the heavy hand and wrath of God.

And that summarily for the reasons ensuing: *First*, forasmuch as concerns the danger of your Majesty:

Both she and her Favourers think that she hath right, not to succeed, but to enjoy your Crown in possession; and therefore as she is a most impatient Competitor (acquainted with

blood) so will she not spare any means that may take you from us, being the only Lett that she enjoyeth not her desire.

She is hardned in malice against your Royal Person, notwithstanding that you have done her all favour, mercy, and kindness, as well in preserving her Kingdom, as saving her Life and Honour.

And therefore there is no place for mercy, where there is no hope of amendment, or that she will desist from most wicked Attempts.

The rather, for that her malice appeareth such, as that she maketh as it were her Testament of the same to be executed after her death, and appointeth her Executors to perform the same.

She affirmeth it lawful to move Invasion: therefore as of Invasion Victory may ensue, and of Victory the death of the vanquished; so doth she not obscurely profess it lawful to destroy you.

She holds it not only lawful, but honourable also and meritorious, to take your life, &c. being deprived of your Crown by her holy Father; and therefore she will (as she hath continually done) seek it by all means whatsoever.

She is greedy of your death, and preferreth it before her own life; for in her late direction to some of her Complices she willed, whatsoever became of her, the Tragical Execution should be performed on you.

There is by so much the more danger to your Person since the Sentence than before, by how much it behoveth them that would preserve her or advance her, to hasten your death now or never, before Execution done upon her; as knowing, that you and none else can give direction for her death: and that by your death the Sentence hath lost the force of Execution, and otherwise they should come too late, if they take not the present opportunity to help her.

Her Friends hold Invasion unprofitable while you live, and therefore in their opinion your death is first and principally to be sought, as the most compendious way to ruine the Realm by Invasion.

Some of the eldest and wisest Papists set it down for a special good drift to occupy you with conceit, that the preservation of her Life is the safety of your own; and therefore you may be assured that they verily think that her life will be your death and destruction.

Secondly, Forasmuch as concerns Religion:

It is most perillous to spare her that hath continually breathed the overthrow and suppression of the same, being poisoned with Popery from her tender Youth, and at her Age joyning in that false termed *Holy League*, and ever since and now a professed Enemy of the Truth.

She resteth wholly upon Popish hopes to be delivered and advanced, and is so devoted and doted in that profession, that she will (as well for satisfaction of others, as feeding her own humor) supplant the Gospel where and whensoever she may. Which evil is so much the greater and

and the more to be avoided, as that it slayeth the Soul, and will spread it self not only over *England* and *Scotland*, but also into all parts beyond the Seas where the Gospel of God is maintained; the which cannot but be exceedingly weakened if defection should be in these two most valiant Kingdoms.

Thirdly, For as much as concerns the happy Estate of this Realm: The *Lydians* say, *Unum Regem agnoscunt Lydii, duos autem tolerare non possunt*: So we say, *Unam Reginam Elizabetham agnoscunt Angli, duas autem tolerare non possunt*. And therefore since she saith that she is Queen here, and we neither can nor will acknowledge any other but you to be our Queen: It will follow, if she prevail, she will rather make us slaves than take us for Children; and therefore the Realm sigheth and groaneth under fear of such a Step-Mother.

She hath already provided us a Foster-Father and a Nurse, the Pope and the King of *Spain*, into whose hands if it should mis-happen us to fall, what can we else look for but ruine destruction and utter extirpation of goods, lands, lives, honour and all?

Whilst she shall live the enemies of the State will hope and gape after your death. By your death they trust to make Invasion profitable for them, which cannot be but the same should be most lamentable for us: and therefore it is meet to cut off the head of that hope.

As she hath already by her poysoned baits brought to destruction more Noble men and their Houses, and a great multitude of Subjects during her being here, than she would have done if she had been in possession of her own Country and armed in the field against us; so will she still be continually cause of the like spoil to the greater loss and peril of this Estate: and therefore this Realm neither can or may endure her.

Her Sectaries do write and print, that we be at our wits end, worlds end, if she over-live your Majesty; (meaning thereby that the end of our world is the beginning of theirs: and therefore take her away, and their world will be at an end before it begin.

Since the sparing of her in the 14th year of your Reign, Popish Traytors and Recusants have multiplied exceedingly; And if you spare her now again they will grow both innumerable and invincible also.

And therefore now in the 4th place:

Mercy in this case would in the end prove cruelty against us all; *Nam est quedam crudelis misericordia*. And therefore to spare her is to spill us.

She is only a Cousin to you in a remote degree, but we be Sons and Children of this land, whereof you be not only the natural Mother, but also the Wedded Spouse. And therefore much more is due from you to us all than to her alone.

It would exceedingly grieve and wound the

hearts of your loving Subjects if they should see so horrible Vice not condignly punished; if any be wavering, it will win them to the worse part, and many will seek to make their own peace. Wherefore as well for the comfort of the one as stay of the other, and retaining of all, It is most needful that Justice be done upon her.

Thousands of your loving Subjects of all degrees, which have for special zeal of your safety made Oath before God to pursue to death by all forcible and possible means such as she is by just sentence found to be, cannot save their Oaths if you keep her alive: for then either we must take her life from her without direction, which will be to our extream danger by the offence of your Law; or else we must suffer her to live against our expresse Oath, which will be to the uttermost peril of our own Souls, where-with no Act of Parliament nor power of man whatsoever can in any wise dispense. And therefore seeing it resteth wholly in you by a most worthy and just execution of this sentence to keep us upright, and free us in both, we most humbly and earnestly beseech you, &c. that speedy Justice be done upon her, whereby your self may be safe, the state of your Realm preserved, and we not only delivered from this trouble of conscience, but also re-comforted to endeavour our selves and all ours into whatsoever other peril for the preservation and safety of you.

Lastly, Gods vengeance against *Saul* for sparing *Agag*, against *Ahab* for sparing the life of *Benhadad* is apparent; for they were both by the just Judgment of God deprived of their Kingdoms for sparing those wicked Princes whom God had delivered into their hands of purpose to be slain to death by them, as by the Ministers of his eternal and divine Justice.

How much those Magistrates were commended that put to death those mischievous and wicked Queens *Jezebel* and *Athaliah*!

How wisely proceeded *Solomon* to punishment in putting to death his own natural and elder Brother *Adonias* for the only intention of a marriage, which gave suspicion of Treason! whereas there is no more desired of your Majesty, than the very Pope (now your sworn Enemy,) some of these late Conspirators and this wicked Lady her self have thought fit to fall on her.

He in like case gave sentence, *vita Conradini, mors Carolo*; *Mors Conradini, vita Carolo*. They in their best minds and remorse of Conscience setting down the best means of your safety said, He that hath no Arms cannot fight, and he that hath no Legs cannot run away, but he that hath no head can do no harm. *Pisces primum à Capite fectent*. She by her voluntary subscribing to the late Association &c. gave this sentence against her self.

And after in her Letters of these Treasons to *Babington* wrote, that if she were discovered,

it would give sufficient cause to you to keep her in continual close Prison. By which words she could mean nothing else but pains of death.

Therefore we seeing *on the one side* how you have, to the offence of mighty Princes, advanced Religion, with what tender care, and more than motherly Piety you have always cherished us the Children of this Land, with what Honour and Renown you have restored the ancient Rights of the Crown, with what Peace and Justice you have governed, and with what store and plenty you have reigned over us:

On the other side seeing that this Enemy of our Felicity seeks to undermine the Religion, &c. to supplant us, and plant Strangers in the place, to transfer the Rights of the Crown to that Italian Priest, and the Crown to her self, or some other from you, and therefore lyeth in continual wait to take your life, &c.

Therefore we pray you, &c. for the Cause of God, his Church, this Realm, our selves, and your self, That you will no longer be careless of your life, our Sovereign safety, nor longer suffer Religion to be threatned, the Realm to stand in danger, nor us to dwell in fear; but as Justice hath given rightful Sentence, &c. so you will grant Execution. That as her life threatneth your death, so her death may by Gods favour prolong your life; and that this evil being taken away from the Earth, we may praise God for our deliverance, and pray him for our continuance. And with the Psalmist say, *Dominus fecit Judicium*, and the ungodly is trapped in the works of her own hand.

And so pray God to incline her heart to our just desires, &c.

Which short Note seemeth to be thus imperfectly set down by the said Speaker, only to put him in mind to end and shut up his Speech with some short Prayer to the said purpose.

Nota, That all the several passages of this *Saturday* are supplied out of a very authentick Copy which I had, containing the said reasons delivered by the said Speaker, and partly out of the Original Journal-Book of the Upper House, being wholly omitted in that of the House of Commons, as is also her Majesties Answer, which because it is printed at large by Mr. *Cambden* (*in Annal. Regin. Eliz. edit. Lugd. Batav. Anno Dom. 1625. pag. 466, 467, & 468.*) and elsewhere, it would be needless to insert it here or any part thereof; and the rather, because some heads thereof are shortly remembred on *Monday* next following.

On *Monday* the 14th day of *November* Mr. Speaker made report to the House of his Message done from this House to her Majesty, (which see on *Saturday* last foregoing) and also of her Majesties most grateful acceptation of the same, and of her Highnesses Answer thereunto: but what her Majesties said Answer was, is wholly omitted in the Original Journal-Book of the House of Commons, although Mr. *Fulk Onslow*, at this time Clerk thereof, had left the entire 187. leaf

of the said Journal, a blank for the entring or inserting of it. Yet it will not be amiss, although the said Answer be extant in print, as is above-said, briefly to touch the heads thereof. Which were, her Majesties thankful acknowledgment for her many miraculous preservations; that she was most grieved that so near a Kinswoman as the Queen of *Scots* had conspired to take away her life. That the Law lately made (which seemeth to have been that for the preservation of her Majesties person passed the last Parliament) was not enacted to intrap the said Queen (as some had pretended) but only to deter her from such wicked practices. That her Tryal had been just and honourable. And lastly, that she thanked them for their care of her safety, and desired them a while to expect her further and final Answer.

Mr. Vice-Chamberlain affirming the Report of Mr. Speaker to be very true in all the parts of the same, and well and faithfully delivered by him to this House, and very much also commending his delivery of the Message of this House to her Majesty upon *Saturday* last at the Court, in such dutiful and due sort as all this whole House had (he said) very good cause to yield him very hearty thanks for the same, and therefore required them so to do; which they so then did in very loving and courteous sort. And he further shewed, That he had something more to add to the said Speech reported by Mr. Speaker, not of any thing delivered unto him upon *Saturday* by her Majesty, but of something then omitted and forgotten by her Majesty, albeit both before purposed by her Highness, and then and yet still intended to be signified unto this House, and which he himself that morning was commanded by her Majesty to signifie unto them: which was, That her Highness, moved with some commiseration towards the Scottish Queen in respect of her former Dignity and great Fortunes in her younger years, her nearness of Kindred to her Majesty, and also of her Sex, could be pleased to forbear the taking of her Blood, if by any other means to be devised by her Highnesses great Council of this Realm, the safety of her Majesties own Person and of the State might be preserved and continued without peril or danger of ruine and destruction, and else not: therein leaving them all nevertheless to their own free liberty and dispositions of proceeding otherwise at their choices. For as her Majesty would willingly hearken to the device and reasons of any particular Member of this House; so Mr. Vice-Chamberlain shewed they may exhibit their conceits in that case either to any of the Privy Council, being of this House, or else to Mr. Speaker, to be further signified over to her Highness accordingly.

Nota, That Mr. *Cambden* hath delivered and set down in his Annals of Queen *Elizabeth*, pag. 408. two mistakes: The first, that this Message was sent twelve days after the access which the two Houses had unto her Majesty on *Saturday* fore-

foregoing, as is aforesaid; whereas it is plain that this Message was sent to both the Houses upon the second day after, being this instant *Monday*, as appears by the Original Journal-Book of both the Houses before mentioned. His second error is, in respect that he said that the said Message was delivered by *Puckering* the Speaker of the said House of Commons, whereas her Majesty sent it by Sir *Christopher Hatton* her Vice-Chamberlain, and he accordingly did relate the same unto the House, as appears in his Speech immediately foregoing. All which I have the rather observed and set down thus at large, that so the excellent use of these Journals of Parliament may appear, not only in respect of the Orders and Priviledges of the said Two Houses, but also in respect of the true discovery of the very History of this Realm.

Mr. Vice-Chamberlain continuing his former Speech at this time, did further put the House in remembrance, that as at the beginning of this present Parliament the Lord Chancellor signified unto this House by her Majesties express Commandment, that no Laws at all should be made in this Parliament; so her Highness purposing not to be present to give her Royal Assent to any Laws, this House should not need (he said) to be troubled with going about to make or enact any Laws now at all: and therefore wisheth that this Court may be adjourned till *Friday* next; at which day (he said) it may be this House will hear her Majesties further pleasure in Answer to the said Petition, for that her Highness had not as yet read or perused the same. And so thereupon this Court was then adjourned till *Friday* next accordingly.

On *Friday* the 18th day of *November* after sundry grave Speeches, sound Arguments, and forcible Reasons made by Sir *Edward Dymock*, Sir *Thomas Scot*, Mr. *Woodward*, Mr. *Edward Sanders*, Mr. *Dalton*, Mr. Chancellor of the Exchequer, and Mr. Vice-Chamberlain concerning the Message delivered by the said Mr. Vice-Chamberlain upon *Monday* last from her Majesty, for Consultation to be had for some other means of course, if it might be, for the establishing and preservation of the true Religion, of her Majesties most Royal Person, and the good and peaceable estate of this Realm, than by the taking away of the Life of the Queen of *Scots*. And each of them resolutely concluding, that no other device, way, or means whatsoever could or can possibly be found or imagined, that such safety can in any wise at all be had so long as the said Queen of *Scots* doth or shall live, they do withal very earnestly move and perswade the prosecution of the said Petition lately delivered jointly by the Lords and this House to her Majesty for the necessity of the speedy executing of the said Queen of *Scots*, as the one and only mean (as far as mans reason can reach) to provide for the safety of the continuance of true Religion, of her Majesties most Royal Person, and of the peaceable estate of this Realm, from

the manifest and imminent danger of utter subversion, destruction and desolation. And Mr. Vice-Chamberlain gathering partly by some of the said Speeches preceding, that some of this House seemed to conceive of the said Message by him delivered to this House from her Majesty on *Monday* last touching the said Consultation to be had, as a peremptory Proposition unto them to exclude them from all other courses of proceeding, shewed unto them again, as he did before, that her Majesty commanded that Message to be propounded unto them for consultation only, and not for direction, leaving nevertheless every Member of this House to their own free liberty and dispositions of proceeding touching the said matter; and so yielding his full opinion and ready consent with the residue for the continuance of the prosecution of the said Petition unto her Majesty in most humble and dutiful sort, as the only necessary resolution of this whole House to rely upon in that behalf.

And shewing further, That upon *Tuesday* last the like Message was done by her Majesties like Commandment to the Lords of the higher House, moved, That as in all the former proceedings of this House in the great matter and business touching the Scottish Queen, the said House had always been Suitors unto their Lordships to join with them therein; so now that the same motion might be again made unto their Lordships to join with them in this part also. And for that it is very meet and convenient, that Answer be made to her Majesty of the said Message, this House would, as in the beginning of the said former proceedings, appoint a convenient Committee of this House to confer of the manner and substance of the said Answer, and then after the report thereof made to this House, to make suit unto the Lords for Conference with their Lordships touching the resolution of this House. Which motion being well liked of by this House, It was upon the Question resolved, That such a Committee should be had accordingly. And further ordered, That all the former Committees in the said great Cause, and also all those others which had spoken this present day, to wit, Mr. *Woodward* and Mr. *Edmund Sanders*, and also Sir *George Cary* be likewise added unto them, and that they meet to morrow at nine of the Clock in the Forenoon in the Exchequer-Chamber, and as many else of this House besides as please to come thither to them. Which done, this Court was then adjourned till *Monday* next, for that the Lords did not sit this present day, and this House then had nothing to deal with till the said Committees shall first have had Conference with their Lordships.

Sir *John Higham* one of the Committees in the Bill for *Orford-Haven*, doth at the rising of the House make report of the travail of himself and the residue of the Committees therein, and so delivereth in both the old Bill and also a new Bill.

On *Monday* the 21th day of *November* (to
F f f 2 which

which day the Parliament had been on *Friday* the 18th day of the said Month foregoing last adjourned) M^r *Markham* a Burgess for the Borough of *Grantham* in the County of *Lincoln*, shewed on the behalf of the Inhabitants of the said Borough, that M^r *Arthur Hall* having been in some former Parliaments returned a Burgess for the said Borough, and in some of the same Parliaments for certain causes the House then moving, disabled for ever afterwards to be any Member of this House at all, hath of late brought a Writ against the Inhabitants of the said Borough for his wages (amongst other times) in attendance at the late Session of Parliament holden at *Westminster* in the 27th year of her Highnesses Reign; during which time, as also a great part of some other of the said former Parliaments he did not serve in the said House, but was for some causes as aforesaid disabled to be any Member of this House, and was also then committed Prisoner to the Tower of *London*. And so prayeth the advice and order of this Honourable House therein, unto the censure and order whereof the said Inhabitants do in most humble and dutiful wise submit themselves. And so shewed the said Writ, which was then read by the Clerk. After the reading whereof, and some speeches had touching the former proceedings in this House against the said M^r *Hall*, as well in disabling him to be any more a Member of this House, as also touching his said imprisonment, the matter was referred to further consideration after search of the Precedents and Entries of this House heretofore had and made in the course of the said cause. *Vide diem Veneris 2^{um} diem Decembris, & diem Mercurii 22^{um} diem Martii postea.*

M^r Treasurer shewed that the Committees in the Cause for Conference to be had touching the answer to be made by this House to the Message lately delivered from her Majesty, did meet according to the Commission of this House, and after long and much debating, and many great arguments, it appeared very evidently by most strong reason, that no other way whatsoever can be taken for the safety and continuance of true Religion, of her Majesties most Royal Person, and of the peaceable Estate of this Realm, but only by Justice to be done upon the Queen of *Scots* according to her demerits. Which Justice as her Majesty ought of duty to cause to be done, so they resolved utterly to insist upon the prosecution of the former Petition unto her Highness, as the one only way and none other to be performed in the said Cause. And so left to some other of the said Committees the more particular discourses of their said Conferences. Whereupon M^r Vice-Chamberlain very excellently, plainly and aptly shewed the manner of their Treaty in the said Conference, and of the Reasons therein both brought and confuted touching any manner of possible or conjectural course of the said safety other than only by the death of the said Queen of *Scots*, as neither by likeli-

hood of reformation in her Person, hope of strait guarding or keeping of her, or of any caution of hostages to be taken for her; reciting and applying most apt and invincible reasons in the several proofs thereof; and so concluding his own opinion also only to be such and none other, wished that if any member of the House could conceive or shew any other course or device tending to the purport of the said Message, than hath been erst now remembred or in the said Committee offered, he would shew the same. And if not, that then M^r Speaker would move the question for the consent of the whole House to the continuance of prosecuting that said Petition together with the said Committees. Whereupon after some little pause and none offering any speech to other end, M^r Speaker moving the question to the House, it was resolved by the whole House, to insist only upon the said Petition accordingly. And also after sundry other speeches had tending all to the same resolution, and some of them urging the remembrance, purpose and present consideration of the former Association, it was ordered that to morrow when the Lords do sit in the Upper House the former Committees of this House (M^r *Robert Cecil* being now added unto them) do repair unto their Lordships for Conference with their Lordships touching the said resolution of this House in answer to her Majesties said Message. And also with request to their Lordships to give Licence unto this House to join with their Lordships in the said Answer to her Majesty, if it so please them.

M^r Comptroller shewing his full assent and good liking of the said conclusion touching the prosecution of the said Petition only, and of none other course at all, as well in his former delivery thereof upon treaty of the said cause, as now at this present, declared further, That he thinketh himself to have been in some of his late former speeches in that matter mistaken and misconceived by some of this House rather of ignorance in them (he thinketh) than of any evil disposition and purpose; and so affirming earnest and devout prayer to God to incline her Majesties heart to the Petition of this House as a thing much importing, he moveth that some apt and special course of prayer to that end might be devised and set down by some of this House, and be not only exercised here in this House every day, but also by all the members of this House elsewhere abroad, and also privately in their Chambers and Lodgings.

M^r Treasurer liking well the motion and good meaning of M^r Comptroller touching Prayer to be exercised as before, shewed that fit Prayers for that purpose and extant in print are already used in this House, and so may also be by the Members of the same privately by themselves, and doth willingly wish the same might be so executed accordingly.

Sir *John Higham* assenting very readily to the continuation of pursuing the said Petition, urged further very zealously and earnestly the burthen

then of the Oath of Association; and so thereby amongst other things of great and necessary consideration and importance, prayeth her Majesty may be solicited to the speedy execution of Justice upon the person of the Queen of Scots.

Mr. Recorder bending many Speeches, and reciting many Precedents of Petitions in former times granted by sundry of her Majesties most noble Progenitors Kings of *England* to the Subjects of this Realm at the humble Suits and Petitions of the Speaker and Commons of the Lower House, which the Lords of the Upper House in those days could not obtain at their hands; doth not only perswade very earnestly the said insisting of this House upon the said Petition, but also undoubted assuredness of her Majesties granting and performing of the same, as a thing answerable both unto her Highness most merciful, loving and tender care over her good Subjects, as also to the very necessity of the case.

Mr. *Cope* moved, that Mr. Speaker might put it to the Question for the resolution of this House touching the prosecution of the said Petition with all good and fit speed.

Mr. Chancellor of the Exchequer putting the House in remembrance of their resolution therein given already even now at this very instant Court upon the Question then propounded by Mr. Speaker, moved the going forward with the Committee for Conference, to the end that with better expedition upon report of the same Conference to be made to morrow to this House, and then the Resolution thereupon to be signified unto the Lords and their favours prayed for joining further with this House, the Cause may receive such speedy good course of further proceeding to end and execution as shall best appertain.

On *Tuesday* the 22^d day of *November* Mr. Treasurer and sundry others of the Committees returning from the Lords shew, they have had Conference with their Lordships, and that their Lordships wholly and only insisting upon the said Petition, like as this House also doth, do purpose this Afternoon to send two Lords, to wit the Lord Admiral and the Lord *Cobham*, to be Suiters for that House for access unto her Majesty for delivering their Lordships answer to the said Message; and so moved likewise, that Two of this House of the Privy Council, or such other as this House shall appoint, may also on the behalf of this House be Suiters unto her Majesty for like access in the same matter also. And thereupon were named for that purpose Mr. Vice-Chamberlain and Mr. Secretary *Wolley*.

Mr. Vice-Chamberlain shewed further, that the Lords did prepare against the time of their access to be obtained of her Majesty, to be furnished with sufficient matter to answer unto any reasons happily to be objected unto them by her Highness at the time of their said answer to be made to her Majesty touching the said Message, and not to propound any such at all but only

by way of answer, if it fall out that it please her Highness so to object, and else not. And so moved the like care by consideration to be also had by this House, and the same reasons to be such also (as near as may be) as were not lately delivered unto her Majesty by Mr. Speaker; for the avoiding of which iterations on the one side, and readiness of preparation to her Highness objections (if any happen) on the other side, he thinketh good that a Committee of this House were presently named for that purpose, and that Mr. Speaker also be with them at their meeting; whereby he may advertise them (as occasion shall serve) of such reasons as he had before inferred to her Majesty at the time of exhibiting the said Petition. Whereupon it was ordered, that all the former Committees in the great Cause, with Mr. Doctor *Leven* now added unto them, do meet at two of the Clock this Afternoon in the Exchequer Chamber, and that Mr. Speaker be then there also.

Mr. Vice-Chamberlain shewed that he cannot be with them at the Committee; neither yet at this House before to Morrow at ten of the Clock at the soonest, but of necessity must both attend her Majesties good pleasure for answer, and also lodge at the Court all night.

On *Wednesday* the 23^d day of *November* Mr. Speaker shewed the travail of the Committees in their meeting yesterday, and also their appointment then of further meeting again this Forenoon, and of their conference at both times; in which (he said) were brought very many and found reasons touching the matter in consultation to very great depth by sundry there present, delivered by some in speech, and by some other in writing; which as they were very many and hard to be all carried in memory, and withal sundry of the most principal and effectual of them uttered by Mr. Solicitor; so had he entreated Mr. Solicitor to take pains to abridge a summary note of the said most principal reasons: which having been done so by him and also delivered to Mr. Speaker, he offered the same to the House to be read.

Mr. Solicitor taking the said Note into his hand shewed, that his meaning was to make the said Note only for a Memorial unto Mr. Speaker for himself, and not at all to be read to the House. And because the said Note is not in any part so fully and plainly set down, as by the reading thereof the House might so well conceive the effects of the said reasons as were requisite, himself therefore would, if it pleased them, shew unto them the substance of the said Note, as himself for his own opinion conceived of the said reasons. And so holding the said Note in his hand, and discoursing the several particularities contained in the said Note, proveth by invincible reasons, that neither by expectation of reformation in the disposition of the Scottish Lady (if the Queens Majesty should spare her life) nor yet by safer or stronger guarding of her Person, nor by her promise upon word or Oath, nor by the

the Hostages of other Princes her Allies, nor by her Banishment, nor by the revocation of the Bull of Pope *Pius Quintus*, nor yet by the bonds or word of a Prince, or of any or all the Princes her Allies, nor by any other way or means whatsoever, other than only by the speedy Execution to death of the said Scottish Queen, the safety or continuance of the true Religion, of the most Royal Person of the Queens Majesty, and of the peaceable state of this Realm can in any wise be provided for and established. And so concluding, relied only upon the humble continuation of the Suit of this said House unto her Majesty in the said Petition.

Mr. *Thomas Knyvet* shewing, that as Liberty was given to the Members of this House to deliver their conceits touching the matter presently in Consultation either in Speech or in Writing at their choices; so he for his part offered the same in writing, and prayeth the same may be read.

Mr. Vice-Chamberlain saith he thinketh Mr. *Knyvet* did mistake it, for that such Notes in writing were appointed to have been offered in the Committee, not in the House; and shewed further, That he and Mr. Secretary *Wolley* having according to the appointment of this House attended her Majesties pleasure for access for answer; and that her Highness is well pleased that for the time of their access, the same be to morrow next being *Thursday*, betwixt one and two of the Clock in the Afternoon at the Court, and for the number to be such, and of such persons as this House shall think good, the Speaker, if they will, and the Committees, yea and as many else of the House also as please. And shewed further, That they thought good in duty to make her Majesty acquainted with the great care and travail of this House in their diligent and dutiful proceeding to the satisfaction of her Majesty in the matter of the Message delivered unto them from her Highness. Which their exceeding great and especial care therein as her Majesty doth very well like of, and take and accept in most gracious and loving part; so did her Highness command him to signify unto this whole House her Majesties most hearty thanks for the same, reposing (next under God) her own safety to be greater in the dutiful love and obedience of so faithful and loving Subjects (an inestimable blessing of God unto her Majesty) than in their riches, abilities and forces; rehearsing this Sentence, *sic quàm ferro tutius regnant Reges*. He also said, that for matter of other affair not of this House, he had cause even now very lately to be with the Lords, and perceived by some of them that the Lord Chancellor also to Morrow did repair to the Court with twenty others of the Lords at the least; And therefore it were very necessary also that Mr. Speaker also did in like sort go with these of this House. And further moved, that Mr. Speaker might be furnished with sufficient reasons to be by himself propounded unto her Majesty in the name of this House

for her satisfaction in Answer to the said Message, and so not to expect reasons to be objected unto him by her Highness; for that (he said) he knew very well her Majesty looked for these reasons of satisfaction at their hands, by way of propounding and not only by way of Answering. Whereupon the House did then rise, and this Court was Adjourned till *Friday* next in the Forenoon.

On *Friday* the 25th day of *November* Mr. *Grice* hearing it reported (as he shewed) that the French Embassadour lately arrived, is appointed to have access unto her Majesty to Morrow at the Court, and fully perswading himself for his part that the said Embassadour cometh not for any good either to her Majesty or to the Realm; and knowing that their manner is in such Cases to be attended for the most part with a Company of Rascals and basest sort of People of their Nation, and all the rabble of them accustomed to thrust into the presence of the Prince with their Master, moved, That for the better safety of her Majesties most Royal Person from peril of any desperate attempt of any of the said French, it would please those of this House of her Highness Privy Council to procure that the said Ambassador might both be heard and also receive his answer at the hands of her Majesties Council, and in no wise to have access unto her Highnesses Person.

Mr. Vice-Chamberlain shewed that at the last conference of the Committee of this House with the Lords, this matter was remembred and considered of amongst them; And that the Lord Chamberlain and others at the Court about her Majesty were already appointed to take order for it accordingly.

Mr. Serjeant *Gawdie* and Mr. Attorney General do bring word from the Lords, That where their Lordships according to some former direction had purposed presently to have sent for this House to have attended their Lordships for Prorogation of this present Parliament, their Lordships being set, had since received Letters of her Majesty, by which her Highness signified her pleasure to have the same Parliament yet continued two or three days longer for certain weighty considerations moving her Majesty thereunto, whereof their Lordships commanded them to advertise this House; and further to signify unto this House, that their Lordships had thereupon Adjourned the said Parliament in their House until *Friday* next: and so then the said Mr. Serjeant *Gawdie* and Mr. Attorney departed. Which Message being afterwards declared unto this House by Mr. Speaker, this Court was also adjourned until *Friday* next in like manner.

On *Friday* the 2^d day of *December*, upon a motion this day renewed on the behalf of the Inhabitants of the Borough of *Grantham* in the County of *Lincolne*, touching a Writ brought against them by *Arthur Hall* Esquire, whereby he demandeth wages of the said Inhabitants for

his service done for them in attendance at sundry Parliaments, being Elected and returned one of the Burgesſes of the ſaid Borough in the ſame Parliaments; for as much as it is alledged that the ſaid *Arthur Hall* hath been heretofore diſabled by this Houſe to be at any time afterwards a Member of this Houſe; and alſo that in ſome Sefſions of the ſame Parliaments he hath neither been free of the Corporation of the ſaid Borough, and in ſome other alſo hath not given any attendance in Parliament at all; It is ordered that the examination of the ſtate of the Cauſe be committed to the Right Honourable Sir *Walter Mildmay* Knight, one of her Majeſties moſt Honourable Privy Council, Chancellor of her Highneſſes Court of Exchequer, Sir *Ralph Sadler* Knight, one other of her Majeſties moſt Honourable Privy Council and Chancellor of her Highneſſes Dutchy of *Lancaster*, *Thomas Cromwell*, *Robert Markham* and *Robert Wroth*, Eſquires; to the end that after due examination thereof by them had, if it ſhall ſo ſeem good to them) they do thereupon move the Lord Chancellor on the behalf of this Houſe, to ſtay the granting out of any attachment or other Proceſs againſt the ſaid Inhabitants for the ſaid Wages at the ſuit of the ſaid *Arthur Hall*: And the ſaid Committees alſo to ſignify their proceedings therein to this Houſe at the next ſitting thereof accordingly. *Vide* November 21. *antea* & Mar. 22. *poſtea*.

Mr Serjeant *Gawdie* and Mr Attorney General do bring word from the Lords, that their Lordſhips do deſire that Mr Speaker and this whole Houſe do preſently repair unto their Lordſhips into the Higher Houſe. Which being then ſignified unto the Houſe by Mr Speaker, all the Houſe thereupon repaired thither preſentiy accordingly.

Prorogued to the 15th day of *February*.

But this Parliament was not at this time Prorogued, but only adjourned by the Lords Commiſſioners appointed upon *Saturday* the 29th day of *October* foregoing; and therefore Mr *Fulk Onſlow* at this time Clerk of the Houſe of Commons is exceedingly miſtaken in this place, and Mr *William Onſlow* his Kinſman who ſupplied his place in the next meeting of this Parliament doth likewiſe erre in ſetting down the beginning or commencement of the ſaid new meeting upon the foreſaid 15th day of *February* being *Wednesday*, where he ſtileth it a Sefſion of Parliament holden by Prorogation; whereas it was neither new Parliament nor new Sefſion, but a meer new meeting of one and the ſame Parliament.

And that theſe were two new meetings and not two Sefſions, it is moſt plain by the very words touching the Adjournment thereof entred in the original Journal-Book of the Upper Houſe in manner and form following, *viz.*

On *Friday* the ſecond of *December* Commiſſionarii *Reginæ* adjournaverunt præſens Parliamentum uſque in decimum quintum diem *Februarii* prox.

Secondly, There was not any one Act that did paſs at the end of this firſt meeting which I conceive is an inſeparable accident unto every Sefſion of Parliament.

Thirdly and laſtly, It is very plain that this Adjournment was of the like nature and upon the like occaſion with that in the laſt Parliament in *Anno* 27. *Reginæ* *Eliz.* *Anno Domini* 1584. *viz.* becauſe *Chriſtmaſs* drawing near, the Members of either Houſe might have liberty to recede into their ſeveral Countries for the better relief of the Poor and maintenance of Hoſpitality.

And therefore whereas theſe two meetings are placed in the Original Journal-Book of the Houſe of Commons very incongruouſly in two diſtinct and ſeveral Journals, as if they had been two diſtinct and ſeveral Sefſions; they are here rightly placed together, and ſo the paſſages of the ſaid ſecond meeting do now follow in due courſe and order.

On *Wednesday* the 15th day of *February*, (to which day the Parliament had been Adjourned by the Lords Commiſſioners aforeſaid on *Friday* the 2^d day of *December* foregoing) the two Houſes met in their ſeveral places without any pomp or Solemnity, this being (as hath been before obſerved) neither new Parliament nor new Sefſion, but a mere new meeting of either Houſe upon the ſaid Adjournment of the former meeting thereof, which began on the 29th day of *October* being *Saturday* in *Anno* 28 *Reginæ* *Eliz.* as is aforeſaid.

The Knights, Citizens and Burgeſſes of the Houſe of Commons being ſet, Mr Serjeant *Puckering* then Speaker thereof, informed the Houſe that Mr *Fulk Onſlow* Clerk of the Parliament was ſo weakned by Sickneſs that he could not at this preſent exerciſe his place; Therefore he had appointed Mr *William Onſlow* his Kinſman a Member of this Houſe here preſent to ſupply it; and therefore aſked their allowance, which they very willingly granted.

The ſame time Mr *Cromwell* moved the Houſe, for that at their Petition her Majeſty had done Juſtice upon the *Scottiſh* Queen to the greater Safeguard of her Majeſties Perſon and the whole Realm, he thought it fit that her Majeſty might receive from them their humble thanks; which motion was well liked, but at this time it proceeded no further.

Two Bills had each of them one reading; whereof the firſt was touching Fines and Recoveries before the Juſtices of the Common Pleas; and the ſecond for limitation of time touching Writs of Error growing by fraud.

The ſame day Mr Vice-Chamberlain, commanded as (he ſaid) by her Majeſty, moved the Houſe, for that this Parliament was not expected to hold at this time, many of the Nobility being Lieutenants in their Countries, and others principal Members of this Houſe were abſent, by occaſion whereof thoſe great weighty cauſes for which this Parliament is called, cannot have ſuch

such deep consultation as is fit ; Therefore he thought it convenient to have an Adjournment : and therefore to move the Lords of the Upper House for the liking thereof. Which motion being well liked, Mr Vice-Chamberlain and a convenient number of the House, so many as would without nomination, did attend him to the Lords ; who upon his return from the Lords made report, that they having considered of the motion, found the same want, and therefore yielded to an Adjournment of the Parliament until *Wednesday* next, being the 22^d day of this instant Month of *February*, if this House would condescend unto it. Unto which Adjournment this House also yielded ; which content Mr Vice-Chamberlain did there presently signify to the Lords, and upon his return the House brake up.

On *Wednesday* the 22th day of *February* (to which day the Parliament had been last adjourned upon *Wednesday* the 15th day of this instant *February* foregoing) the House again sitting, the Right Honourable Sir *Christopher Hatton* Knight Vice-Chamberlain to her Majesty and one of her Majesties most Honourable Privy Council used this Speech in effect to the House, viz. That it was her Majesties pleasure to have dangers disclosed, and to have the House know, that she thanked God for the goodness of the House, that she wished the Session (mistaken for *Meeting*) to be short, that men of Government might go home for matter of Government, hospitality and defence, and to take another time for making of Laws, saving such as be now of necessity.

The dangers which her Majesty meaneth, proceed of ancient malice, and are to be prepared for, and God called upon for aid.

The principal heads of the dangers :

The Catholicks abroad, the Pope, the King of *Spain*, the Princes of the League, the Papists at home and their Ministers.

The principal root hereof :

The Council of *Trent* which agreed to extirp Christian Religion (which they term *Heretic*) whereunto divers Princes assented, and bound themselves in solemn manner.

Pope *Pius Quintus* sent her Excommunication against her Majesty, Dr. *Mourton* and *Mendoza* a Spanish Ambassadour bestirred them, a Northern Rebellion was bred, the Pope and the rest practised for the Scottish Queen, and she being acquainted proceeds by her means.

Pope *Paulus* the Thirteenth proceeds and sends Jesuits and Seminaries to *England* and *Ireland*, and they proceed to inveigle the Subjects, and dissuade them from obedience. *Visko* begetteth a Rebellion in *Ireland*. *James Fitz-Morris* furthereth the Execution thereof. Doctor *Sanders* and *Desmond* stir new Rebellion there, and wrote into *England*, &c. *Parry* was moved to kill her Majesty, and perswaded it was meritorious.

Pope *Sixtus* the Fifth imitateth the other Popes

to execute their former devices, and writeth to the Cardinal of *Lorain* and *Guise*, that he will overthrow the Gospel (which Mr. Vice-Chamberlain honourably termed the glorious Gospel) and therefore moved them to join with the Princes of the League, and to practise to win the King of *Scots*, and to set up the Scottish Queen in *England*, and made his reckoning of the Cantons that be Popish, the *Switzers*, the Duke of *Savoy*, the Duke of *Ferrara*, King of *Spain*, and King of *France*. A chief Instrument to work this, was one *Carew*, called also Father *Henry*.

He was sent into *Germany* and over *Italy* and *France*, wrote to the Scottish Queen that the Powers will join to overthrow *England*, and make known the effect of his labour to the Pope. Invasion should have been made into *England* and *Ireland* the last year, and not unlike to be attempted this year.

The Pope excommunicateth the King of *Navar*. The Pope accounteth not of Popish preaching and persuasions that way ; but nevertheless moveth all to use the word, and for maintenance thereof spareth his Treasure otherwise, and withdraweth maintenance from Jesuits, Seminaries : and divers others Letters were found with the Scottish Queen, which prove all these to be true. If we serve Almighty God in sincerity of heart, we need not to fear. It is to be remembered that the King of *Spain* sought to recover some part of his Fathers credit by using our Treasure and force to get St *Quintines* ; but he soon made his advantage of it, and regarded not our Territories in *France*, but suffered the loss of *Calice* and all our Territories ; and after the death of Queen *Mary* what he could. Her Majesty sought for his good will, sending the Lord *Mountague*, the Lord *Cobham*, Sir *Thomas Chamberlain* Knight, Mr *Maun* and others, and they were but hardly used, some of them were offered great indignity, and Mr *Mauns* Son forced by strength to do a kind of Penance. He comforted the Queens Enemies, he giveth colour of Wars, he chargeth the Queen that her Subjects have aided his Rebels in the *Low Countries*, with countenancing Monsieur with Money at *Cambray*, with sending her Nobility with him into the *Low Countries*, with the actions of Sir *Francis Drake*, with assistance of the *Low Countries*.

Of the purpose of the Combined Princes.

Their shew is to deal with the King of *Navarr* to extirp him, but their drift is to ruinate Religion not only there, but to set upon and to work the ruine of it here also. Wherein the King of *Spain* and *Guise* are now very busie. Their malice is the more for executing the Scottish Queen, but their hope is the less. The King of *Spain* his designments are to invade *England* and *Ireland*.

His Preparation.

Three hundred sixty Sail of *Spain*. Eighty Gallies from *Venice* and *Genova*. One Gallias with six

six hundred armed men, from the Duke of *Florence*. Twelve thousand men maintained by *Italy* and the Pope. Six thousand by the Spanish Clergy. Twelve thousand by his Nobility and Gentlemen of *Spain*. It is reported that ten thousand of these be Horsemen, I think it not all true, but something there is.

We must look to the Papists at home and abroad. It hath touched us in the blood of the Nobility and the blood of many Subjects.

They practise to frame Subjects against all duty, and bring in Doctrine of lawfulness and merit to kill the Queen, and have sent their Instruments abroad to that purpose.

Two manner of forces are to be handled. Assistance to the *Low Countries*, defence by force otherwise. That God may assist us in Justice, in Right, in Defence against those Princes.

The assistance is acceptable that will be profitable. Her Majesty oweth relief there in Honour, according to the Leagues, especially between us and the House of *Burgundy*: which Leagues differ from Leagues growing between Prince and Prince, for they grew between the people and this State. We are bound to help them in Honour according to the Leagues. Many Marriages and many Secrecies have been long between us, and the relieving of the afflictions of that people may not be omitted.

The heads of their miseries are: The Spanish Inquisition by *Placard*, using strange tortures not to be suffered; great impositions without and against Law, sending some of their people into *Spain* and there tyrannized over; their Noblemen done away; taking their Towns and setting Tyrants over them to use them like Dogs. The purpose was to bring the *Low Countries* into a Monarchal seat, and then *va nobis*. The Queens dealing there is warranted by God; The Queen is occasioned of necessity for safety of her Dominions and us, that that Country may be preserved, that the *English* Commodities may be vented there with readiness, with safety and with profit; the recovery thereof will be good for this Country and Crown; it may not be suffered that a Neighbour should grow too strong (he uttered that as though it were not meet another Prince should have it; for examples whereof he commended the Princes of *Italy* and especially the Duke of *Florence* for using that policy, *Henry* the 7th for aiding the Duke of *Brittany* with eight thousand men rather than the King of *France*, after he had found great friendship of them both, that the King of *France* might not grow too strong.)

The King of *Spain* seeketh to be yet greater, for he hath already a Seat in Council amongst the Princes of *Germany* by reason of Territories his Father got there; And if he could, he would frame the *Low Countries* to his desire.

As to the pretence of Injuries before remembered: As to the first going over, her Majesty mis-

liked it, and punished some of the Captains (he named Sir *Humphrey Gilbert* for one.) Concerning Monsieur, the first time her Majesty drew him from proceeding for the *Low Countries*; The second time she consented that he should only assist the *Low Countries*, which Monsieur afterwards abused contrary to her Majesties meaning. Concerning Mr *Drakes* first Voyage, her Majesty knew it not; and when he came home, she seized the whole Mass of Substance brought by him to satisfy the King of *Spain* (if cause so required) and thereupon desired Certificate for Invasion into *Ireland*.

Concerning Mr *Drake's* last Voyage it was to meet with the restraints and seizures in *Spain*, and their purpose of War was thereupon discovered; for there was found by the Master of Mr *Bonds* Ship who took the *Corrigedore*, and others, a Commission from the King of *Spain*, whereby he termed us his Rebels, as he termed the *Low Countries*.

He then remembred another grievance not touched before, which was the entertaining of *Don Anthony*.

Which he answered to be done in Honorable Courtessie, because of his State, who was a King anointed and crowned, though his seat was not long untroubled, and coming hither in honourable and courteous manner, though something weakened, required the entertainment he had.

Then he iterated, that the great grief is Religion, and said that all godly ones are bound to defend it. He then said, God endue us to fear him, and all things shall prosper. He said her Majesty protesteth sincere service to God, and to leave the Crown in peace, &c. commended her courage against their malice, esteeming it not less than the stoutest Kings in *Europe*.

Mr Chancellor of the Exchequer after Mr Vice-Chamberlain his speeches ended, remembred some of the former, and inferred, and so concluded that the great preparations of War which was fit speedily to be thought of and provided, would grow chargeable; and therefore thought it fit with expedition that the House should appoint a convenient number of the same to set down Articles for a Subsidy.

Whereupon are appointed Committees for concluding and drawing of Articles for the Subsidy and other great Causes, all the Privy Council being of this House, the first Knight for every Shire and others, who were appointed to meet in the Exchequer Chamber at two of the Clock in the Afternoon.

One Bill lastly, being for the better payment of Debts and Legacies by Executors and Administrators, was read the first time.

On *Thursday* the 23^d day of *Febrúary* three Bills of no great moment had each of them one reading; of which the first being the Bill against delay of execution in Actions of Debt was read the first time.

The Committees appointed for Conference touching a Loan or Benevolence to be offered to her Majesty are, Mr *Francis Bacon*, Mr *Edward Lewkenor*, and others.

On *Friday* the 24th day of *February* four Bills of no great moment had each of them one reading; of which the last being a Bill to avoid many dangers touching Records of Fines levied in the Court of Common Pleas, was upon the second reading committed unto Mr Recorder of *London*, Mr *Morrice*, Mr *Drew* and others, and the Bill was delivered to Mr Recorder, who with the rest was appointed to meet in *Serjeants-Inn* in *Fleetstreet* on *Saturday* next at two of the Clock in the Afternoon.

Sir *Thomas Scot*, Sir *Henry Knyvet*, Mr *Thomas Knyvet* and Mr *Topcliffe* are appointed by this House to search certain Houses in *Westminster* suspected of receiving and harbouring of Jesuits, Seminaries or of Seditious and Popish Books and Trumperies of Superstition.

On *Saturday* the 25th day of *February* the Bill for the limitation of Time of Errors growing by Fraud had its second reading, and the Committees appointed for the Bill of Fines and Recoveries on the day foregoing are also appointed for this said Bill to meet at *Serjeants-Inn* in *Fleetstreet* at two of the Clock in the Afternoon, and the Bill was delivered to Mr Recorder of *London*.

Two other Bills also of no great moment had each of them one reading; of which the last being the Bill for Attainder was upon the second reading committed to all the Privy Council of this House, Sir *Henry Knyvet*, Mr Recorder of *London*, Mr *Francis Bacon*, Mr *Morrice* and others, who were appointed to meet upon *Tuesday* in the Exchequer Chamber at two of the Clock.

The Bill delivered by Mr Speaker to the Right Honourable Sir *Francis Knowles*.

On *Munday* the 27th day of *February* the House was informed by Mr *Harris*, that one *William White* had arrested Mr *Martin* a Member of this House: Therefore it is ordered by the House that the Serjeant should warn *White* to be here to morrow sitting the Court. *Vide plus de ista materia die Sabbat, die 11^o Mar' prox'.*

Two Bills of no great moment had each of them one reading; of which the first being the Bill for delay of execution of Justice by Writs of Error was committed unto Mr Solicitor, Sir *Henry Knyvet*, Mr Recorder, Mr *Cromwell*, Mr *Dalton* and others, and the Bill was delivered to Mr *Cromwell*, and all these to meet on *Tuesday* next at *Serjeants-Inn* Hall in *Chancery Lane* at two of the Clock in the Afternoon.

The same day Mr *Cope*, first using some Speeches touching the necessity of a learned Ministry and the amendment of things amiss in the Ecclesiastical Estate, offered to the House a Bill, and a Book written, the Bill containing a Petition that it might be Enacted, that all Laws now in force

touching Ecclesiastical Government should be void: And that it might be Enacted that that Book of Common Prayer now offered and none other might be received into the Church to be used. The Book contained the form of Prayer and Administration of Sacraments with divers Rites and Ceremonies to be used in the Church, and desired that the Book might be read. Whereupon Mr Speaker in effect used this Speech: For that her Majesty before this time had commanded the House not to meddle with this matter, and that her Majesty had promised to take order in those Causes, he doubted not but to the good satisfaction of all her people; he desired that it would please them to spare the reading of it. Notwithstanding the House desired the reading of it. Whereupon Mr Speaker willed the Clerk to read it. And the Court being ready to read it, Mr *Dalton* made a motion against the reading of it, saying, that it was not meet to be read, and that it did appoint a new form of Administration of the Sacraments and Ceremonies of the Church, to the discredit of the Book of Common Prayer and of the whole State, and thought that this dealing would bring her Majesties indignation against the House thus to enterprize the dealing with those things which her Majesty especially had taken into her own charge and direction. Whereupon Mr *Lewkenor* spake, shewing the necessity of Preaching and of a learned Ministry, and thought it very fit that the Petition and Book should be read.

To this purpose spake Mr *Hurleston* and Mr *Bainbrigg*, and so the time being passed the House brake up, and the Petition nor Book read.

This done her Majesty sent to Mr Speaker as well for this Petition and Book, as for that other Petition and Book for the like effect, that was delivered the last Session of Parliament; which Mr Speaker sent to her Majesty. *Vide 2^d Mar' and the 4th of Mar.*

On *Tuesday* the 28th day of *February* her Majesty sent for Mr Speaker, by occasion whereof the House did not sit.

On *Wednesday* the first day of *March* Mr *Wentworth* delivered unto Mr Speaker certain Articles, which contained questions touching the Liberties of the House, and to some of which he was to answer, and desired they might be read. Mr Speaker required him to spare his motion until her Majesties pleasure was further known touching the Petition and Book lately delivered into the House; but Mr *Wentworth* would not be so satisfied, but required his Articles might be read. Then Mr Speaker said he would first peruse them, and then do that were fit.

This is all that is found in the Original Journal-Book of the House of Commons touching this matter, and therefore in respect of the weight of it, having as I conceive a very authentick and true Copy both of the Speech and Articles at large, I thought good to have them fully inserted in manner and form following, *viz.*

Mr Speaker, For as much as such Laws as God is

isto be honoured by, and that also such laws as our Noble Sovereign and this worthy Realm of *England* are to be enriched, strengthened and preserved by from all foreign and domestick Enemies and Traytors, are to be made by this Honourable Council, I as one being moved and stirred up by all dutiful love, and desirous even for conscience sake and of a mind to set forwards God's Glory, the wealth, strength and safety of our natural Queen and Commonweal, do earnestly desire by question to be satisfied of a few questions to be moved by you M^r Speaker, concerning the liberty of this Honourable Council; for I do assure you, I praise my God for it, that I do find in my self a willing mind to deliver unto this Honourable Assembly some little taste and account of that simple Talent which it hath pleased God of his singular favour and goodness to bestow upon me, to gain to his Highness honour and Glory, and to shew unto my noble Prince and Commonwealth true, faithful and dutiful service; of the which mind I am sure M^r Speaker, here are many godly, faithful and true hearted Gentlemen in this Honorable Assembly; howbeit the want of knowledge and experience of the liberties of this Honourable Council doth hold and stay us back. For as we have a hearty desire to serve God, her Majesty and this noble Realm; even so are we fearful and loth to give or offer any offence to her Majesty or unto her Laws; the which we presume we shall not do if keep our selves within the Circle of them, and no man can observe that whereof he is ignorant. Wherefore I pray you M^r Speaker, estoons to move these few questions, by question, whereby every one of this House may know how far he may proceed in this Honourable Council in matters that concern the glory of God and our true and loyal service to our Prince and State. For I am fully perswaded, that God cannot be honoured, neither our Noble Prince or Commonweal preserved or maintained without free speech and consultation of this Honourable Council, both which consist upon the liberties of this Honourable Council, and the knowledge of them also. So here are the questions, M^r Speaker; I humbly and heartily beseech you to give them reading, and God grant us true and faithful hearts in answering of them; for the true, faithful and hearty service of our merciful God, our lawful Prince and this whole and worthy Realm of *England* will much consist here after upon the answer unto these Questions. Wherefore it behoveth us to use wise, grave and godly considerations in answering of them.

Therefore the Lord direct our tongues that we may answer them even with his spirit, the spirit of wisdom, without the which our wisdom is nothing else but foolishness.

The Questions follow.

Whether this Council be not a place for any Member of the same here assembled freely and

without controllment of any person or danger of Laws, by Bill or speech to utter any of the griefs of this Commonwealth whatsoever touching the service of God, the safety of the Prince and this Noble Realm.

Whether that great honour may be done unto God, and benefit and service unto the Prince and State without free speech in this Council, which may be done with it.

Whether there be any Council which can make, add to or diminish from the Laws of the Realm, but only this Council of Parliament.

Whether it be not against the Orders of this Council to make any secret or matter of weight, which is here in hand, known to the Prince or any other, concerning the high service of God, Prince or State, without the consent of the House.

Whether the Speaker or any other may interrupt any Member of this Council in his Speech used in this House, tending to any of the forenamed high services.

Whether the Speaker may rise when he will, any matter being propounded, without consent of the House or not.

Whether the Speaker may over-rule the House in any matter or cause there in question; or whether he is to be ruled or over-ruled in any matter or not.

Whether the Prince and State can continue, stand and be maintained without this Council of Parliament, not altering the Government of the State.

At the end lastly, of the said Speech and Questions is set down this short Note or Memorial ensuing. By which it may be perceived both what Serjeant *Puckering* the Speaker did with the said questions after he had received them, and what became also of this business, viz.

These questions M^r *Puckering* pocketted up and shewed Sir *Thomas Heneage*, who so handled the matter, that M^r *Wentworth* went to the Tower, and the questions not at all moved. M^r *Buckler* of *Essex* herein brake his faith in forsaking the matter, &c. and no more was done.

After the setting down of the said Business of M^r *Wentworth* in the Original Journal-Book, there followeth only this short Conclusion of the business of the day it self, viz.

This day M^r Speaker being sent for to the Queens Majesty, the House departed.

On *Thursday* the 2^d day of *March* M^r *Cope*, M^r *Lewkenor*, M^r *Hurlston* and M^r *Bainbrigg* were sent for to my Lord Chancellor, and by divers of the privy Council, and from thence were sent to the Tower. *Vid. Febr. 27. antea.*

The Bill for explanation of the Law touching Fines and Recoveries levied before the Justices of the Common Pleas, whereunto they or any of them be parties, was read the third time and passed upon the Question.

It is ordered, That all the Committees appointed before

before to meet about the Bill for the delay of execution of Justice, shall meet about the same to morrow in the Forenoon above in the Room of this House in the time of the reading of the Subsidy. See these Committees names on *Munday* the 27th day of *February* foregoing.

Three Bills of no great moment had each of them one reading; of which the last being the Bill for continuance of Statutes was read the first time.

The Bill last past touching Fines and Recoveries &c. was sent up to the Lords by Mr Treasurer and others.

A Proviso offered by Mr Recorder of *London* to be inserted in the Subsidy for saving the liberties of the Officers of the Mint, had its first reading.

On *Friday* the third day of *March* four Bills of no great moment had each of them one reading; of which the last being the Bill against the abuses of Purveyors was read the second time, and committed unto all the Privy Council of this House, Sir *John Cutts*, Sir *William Moore*, Sir *Thomas Scott* and others, and the Bill was delivered to Mr Chancellor, who with the rest was appointed to meet to Morrow in the Afternoon at two of the Clock in the Exchequer Chamber.

On *Saturday* the 4th day of *March* Sir *John Higham* made a motion to this House, for that diverse good and necessary Members thereof were taken from them, that it would please them to be humble Petitioners to her Majesty for the restitution of them again to the House.

To which Speeches Mr Vice-Chamberlain answered, That if the Gentlemen were committed for matter within the compass of the privilege of this House, then there might be a Petition; but if not, then we should give occasion of her Majesties farther displeasure: and therefore advised to stay until they heard more, which could not be long: and further he said touching the Book and the Petition, her Majesty had for diverse good causes best known to her self thought fit to suppress the same, without any further examination thereof; and yet conceived it very unfit for her Majesty to give any account of her doings.

This Book and Petition touching the Ecclesiastical Government and for reformation of matters in the Church were delivered to the Clerk of the Parliament or the Speaker by Mr *Cope* on *Munday* the 27th day of *February* foregoing, who with Mr *Lewkenor*, Mr *Hurlston* and Mr *Bainbridge* spake in the commendation of them, and desired they might be read.

Whereupon the said Mr *Cope* with the other three were on *Thursday* the second day of this instant *March* foregoing sent unto the Tower, and for the setting them at liberty it was that Sir *John Higham* made the motion foregoing; which Mr Vice-Chamberlain did answer with this supposition only, that they might perhaps be committed for somewhat that concerned not the business or privilege of the House.

But whatsoever he pretended, it is most probable they were committed for intermeddling with matters touching the Church, which her Majesty had so often inhibited, and which had caused so much disputation and so many meetings between the two Houses, the last Parliament in *Anno* 27 *Reginæ Eliz. Anno Domini* 1584. vide 13 *Mar. sequentem*.

A motion made by Mr Speaker to the House for giving leave to Mr *Dillington* a Member of this House to depart into his Country for his service there, which was then granted.

The Bill for Regrators of Barley had its second reading, and a Proviso to the same Bill presently after that was twice read, and the Bill was committed unto Sir *Henry Cock*, Mr *Salking-ton*, Mr *Alford*, Mr *Aldersfey* and others; and the Bill and Proviso was delivered to the said *Henry Cock*, who with the rest was appointed to meet upon *Monday* next in the Afternoon in the *Guild Hall*.

On *Munday* the 6th day of *March* the Bill for continuance of Statutes with the Proviso was read the second time, and committed unto all the Privy Council of this House, Mr Solicitor, Sir *William Moore*, Sir *Thomas Browne* and others, who were appointed to meet to morrow in the Afternoon in the Exchequer Chamber.

The Bill for *Orford-Haven* was upon the second reading committed unto Sir *Robert Jermin* and others to meet to Morrow at the *Guild Hall*.

The Bill for bringing in of Fish into this Realm was upon the second reading committed unto Mr Recorder, Mr *Sandes*, Mr *Grice*, Mr *Dalton*, the Burgesses of the Cinque-Ports and others, who were appointed to meet to Morrow in the Afternoon at the *Guild Hall*, and the Committees also for the Bill of Ingrossers to meet at the same time and place.

Mr. Chancellor of the Exchequer moved, that the Bill for the Purveyors should be further considered by the Committees this Afternoon in the Exchequer Chamber; and further he moved, that the Committees would at the same time and place meet for the further consideration of the benevolence that was offered to her Majesty, in respect of the great charges her Majesty is to sustain in the *Low Countries*.

Mr. *Gresham* hath Licence to depart into his Country.

This day *William White* was brought into the House to answer his contempt for arresting of Mr. *Martin* a Member of this House; who answered, that he caused him to be arrested the 22^d day of *January* which was above fourteen days before the beginning of the Parliament. The House ordered that the Precedents should be sought, and thereupon proceeding should be had according to the direction of the House, and referred to the report of Mr. *Morrice*, Mr. Recorder, Mr. *Cromwell* and Mr. *Alford*.

On *Tuesday* the 7th day of *March*, the Bill for the Subsidy was read the third time; and before the rising of the House this morning was sent

sent up to the Lords by Mr. Treasurer and others.

The Bill for the Attainders was brought in again by the Committees, with a Proviso for Mr. *Inglefeild*.

Item another Proviso for the Lord *Lumley*.

The Bill was brought in again by the Committees for Purveyors with Amendments, which Bill with the Amendments was upon the second reading committed to be ingrossed.

The Bill for restraint of Horse-Stealing and other Beasts, sent from the Lords by Mr. Serjeant *Gawdie* and Mr. Attorney, had its first reading, and was delivered to Mr. *Morrice*.

It is Ordered, That *Edward Fisher* now remaining Prisoner in the *Fleet*, shall be brought to this House to Morrow, to Answer such things as shall be objected against him. *Vide* on *Thursday* the 9th of *March* following.

Mr. *Stoverd* Burgefs for *Woodstock* hath leave to depart about his necessary business.

Sir *Thomas Scott* and his Son have leave to depart.

On *Wednesday* the 8th day of *March* Mr. *Stoughton* and Mr. *Wallop* had Licence from the House to depart.

Three Bills of no great moment had each of them their first reading; of which the first was a Bill for the true performance of the last Will of Sir *James Harvey*.

The Bill for Confirmation of Attainders brought in again by the Committees, and now again upon divers reasons upon the reservations committed to the former Committees, and all that will may come to the Committees. *Vide* the said Committees on *Saturday* the 25th day of *February* foregoing. The said Committees to meet this Afternoon in the Exchequer Chamber.

This day the Bill for *Orford-Haven* was brought in again by the Committees.

Nota, There was a former Bill for *Orford-Haven* in the County of *Suffolk* read in the first meeting of this Parliament, and committed on *Monday* the 7th day of *November* last past; which it seemeth being disliked by the said Committees was rejected, and a new Bill brought in again this second meeting of the same upon *Friday* the 24th day of *February* foregoing, and lastly committed again after the second reading upon *Monday* the 6th day of this instant *March* last past.

Upon a Motion made by Sir *John Higham*, that it were convenient to have the Amendment of some things whereunto Ministers are required to be sworn, and that some good course might be taken to have a learned Ministry; it was thought fit that some convenient number of this House might be appointed to confer upon some reasonable Motion to be made unto her Majesty for redress in these things. Whereupon these persons ensuing were appointed, *viz.* All the Privy Council of the House, Sir *John Higham*, Mr. Solicitor, Mr. Recorder, Mr. Dr. *Llwen*, Sir

Henry Cock, Sir *Robert Jermin*, Mr. Doctor *Cofins*, Sir *Thomas Browne*, Mr. *Brograve*, Mr. *Beale*, Mr. *Fortescue*, Mr. *Richard Browne*, Sir *William Moore*, the Master of the Requests, Mr. *Wroth*, Mr. *Morrice*, Mr. *Conisby*, Mr. *Tasborough*, Mr. *Fanshaw*, Mr. *Hastings*, Sir *Richard Knightley*, Mr. *Bronker*, Mr. *Amersham*, Mr. *Hearly*, Mr. *Francis Baker*, Mr. *Stanhop*, Sir *Walter Rawleigh*, Mr. *Saunders*, Mr. *Thomas Farmer* and Mr. *William Fleetwood*.

Thomas Stampe Esquire one of the Burgeses for *Wallingford* in the County of *Berks*, is licensed by Mr. Speaker to be absent for his necessary affairs.

On *Thursday* the 9th day of *March* *Thomas Hudson* Esquire Burgefs for the Town of *Parnstable* in the County of *Devon*, is for his necessary affairs licensed to depart also for the Service of her Majesty, to be employed in causes of Musters with the Earl of *Bath* her Majesties Lieutenant of the said County.

The Bill for *Orford-Haven* with the Amendments brought in by the Committees, was by the House Ordered to be ingrossed.

Two Bills also had each of them one reading; of which the last being the Bill for Fines was read the second time and committed with the Bill for Errors in Fines unto Mr. Serjeant *Snagg*, Mr. Solicitor, Mr. *Lewkenor* and others, to meet this Afternoon at two of the Clock at *Serjeants-Inn* Hall in *Chancery-lane*.

The Bill for Confirmation of Attainders was brought in again by the Committees, with the Addition, which being twice read was Ordered by the House to be ingrossed. *Vide* the said Committees on *Saturday* the 25th day of *February* foregoing.

This day *Edward Fisher* by vertue of her Majesties Writ was brought into the House to Answer divers his misdemeanors, as well for indirectly taking away as imbezelling certain Evidences remaining in a Cubbard which was locked and sealed up by Mr. Recorder and others. *Vide* on *Tuesday* the 7th day of this instant *March* foregoing.

The Bill for Fish, brought into this House again by the Committees, was twice read, and committed unto Mr. Serjeant *Snagg*, Mr. *Morrice*, Mr. Attorney of the Dutchy, Mr. Recorder and others, who were appointed to meet this Afternoon in *Serjeants-Inn* in *Chancery-lane* at two of the Clock.

Here it seemeth, Mr. *William Onslow*, who by the Licence of the House supplied the place of Mr. *Fulk Onslow* his Kinsman, Clerk of the same, at this meeting, is much mistaken in setting down this Commitment; for the Bill it self was formerly twice read, and according to the usual course committed upon the second reading to Mr. Recorder of *London*, Mr. *Sandes* and others on *Monday* the 7th day of *March*, and therefore doubtless this was either a new Bill brought in by the said Committees, or else some new Additions and Amendments inserted into the

the old Bill, which had this day their first and second reading, and thereupon again committed unto some of the old Committees and others. *Vide plus die sequente.*

Two Bills had each of them one reading; of which the last being the Bill for the payment of Sir Gerrard Croker Knight his Debts, was (upon the second reading) committed unto Mr. Alford, Sir Thomas Browne, Mr. Thomas Harris, Mr. John Inglefield, and others.

On Friday the 10th day of March the Bill for *Esfretford* was read the second time, and committed unto Mr. Markham, Mr. Topclyffe, Mr. Savil and others, who were appointed to meet to Morrow in the Afternoon in the Middle Temple Hall.

Four Bills of no great moment had each of them one reading; of which the second being the Bill for stealing of Horses and other Cattel and Beasts was upon the second reading Committed unto Sir William Moore, Mr. Sands, Mr. Wroth and others, who were appointed to meet to Morrow in the Committee Chamber.

The Bill for bringing in of Fish was brought in again by the Committees; by which it is most probable that there was a new Bill brought in yesterday, which was twice read at one and the same time and then committed.

The Bill for Sir Gerrard Crokers payment of his Debts was brought in again by the Committees and amended.

On Saturday the 11th day of March the Bill against fraudulent Conveyances by Fugitives was read the first time.

The Bill for the payment of Sir Gerrard Crokers Debts was brought in again by the Committees, and committed to be ingrossed.

Three Bills being passed the House were sent up to the Lords; whereof the two last were the Bill for the great abuses of Purveyors, and the Bill for the confirmation of the Attainders of the late Lord Pagett and others.

A Motion being made by Mr. Treasurer for the matter of benevolence for the charges to be supplied in the Low Countries, whether that this House should only deal in it without the Lords, or else that they should make the Lords privy to it and join with them; It was thought good by the House to join with the Lords in the same cause, and commit it unto these persons, *viz.* all the Privy Council of this House, Sir Thomas Browne, Mr. Solicitor, Sir Robert Jermin, Sir John Heigham, Master of the Requests, Mr. Francis Hastings, Mr. Sands, Mr. Topclyffe and others. *Vide diem Saturn. 18. diem Mar.*

This day a new Bill was brought in again for the payment of Edward Fishers Debts by the Committees, and therefore the new was twice read, and committed to be ingrossed.

Nota, That a Bill to this purpose was in great agitation the last Parliament *de anno 27 Regine Eliz. Anno Domini 1584.*

The Bill for confirmation of Letters Patents was upon the second reading committed unto

all the Privy Council of this House, Mr. Sands, Mr. Solicitor and others, and the Bill was delivered to Mr. Vice-Chamberlain.

This day the Committees made report of the priviledge of Mr. Martin a Member of this House Arrested upon mean Procefs by White above twenty days before the beginning of this Parliament holden by Prorogation (mistaken for Adjournment) and in respect that the House was divided about it in opinion, Mr. Speaker with the consent of the House, the sooner to grow to some certainty of the Judgment of the House in this cause, moved these questions to the House, *viz.*

First, Whether they would limit a time certain or a reasonable time to any Member of the House for his priviledge.

The House Answered a convenient time.

Secondly, Whether Mr. Martin was Arrested within this reasonable time.

The House Answered yea.

Thirdly, If White should be punished for arresting Martin.

The House Answered no, because the arrest was twenty days before the beginning of the Parliament, and unknown to him that would be taken for reasonable time. But the principal cause why Martin had his priviledge was, for that White the last Session (mistaken for Meeting) of Parliament arrested Mr. Martin, and then knowing him to be returned a Burgefs for this House discharged his Arrest:

And then afterwards Mr. Martin again returning out of his Country to London to serve in this House, Mr. White did again arrest him, and therefore this House took in evil part against him his second Arrest, and thereupon judged that Martin should be discharged of his second Arrest out of the Fleet by the said Mr. White. *Vide Febr. 27 Monday.*

The Bill to avoid fraudulent assurances made in certain Cases by Traytors, was sent down from the Lords to the House of Commons by Dr. Ford and Serjeant Gawdie.

Nota, That this Bill is not mentioned to have been sent down from the Lords to the House of Commons, which as it should seem happened through the negligence of Mr. William Onslow, who at this time supply'd the place of the Clerk of the said House. And therefore it is supplied out of the Original Journal-Book of the Upper House.

On Monday the 13th day of March, Two Bills had each of them one reading; of which the second being the Bill against fraudulent Conveyances by Fugitives was read the second time, and committed unto Mr. Solicitor, Mr. Recorder of London, Mr. Sands and others, and the Bill was delivered to Mr. Hughes of Grayes-Inn, who with the rest was appointed to meet at Lincolns-Inn this Afternoon.

The Bill for Fish was brought in by the Committees and Ordered to be ingrossed. *Vide concerning this Bill on Thursday the 9th day, and*

on

on *Friday* the 10th day of this instant *March* foregoing.

The Bills against delay of Execution by suing Writs of Error was read the second time upon the new bringing in of it by the Committees, and upon the question was ordered to be ingrossed.

The Bill for payment of *Edward Fishers* debts was read the third time, and passed upon the Question.

A Motion was made by Mr. *Cromwell* to have some conference with the Privy Council of this House and some others of the same, concerning those Gentlemen Members of this House lately committed to the Tower. Whereupon these were appointed, viz. all the Privy Council of this House, Sir *Robert Jermin*, Sir *John Higham*, Sir *Thomas Brown*, Sir *William Moore*, Mr. *Francis Hastings*, Mr. *Cromwell*, Sir *John Harrington*, Mr. Recorder, Mr. *Beal*.

These Members of the House touching whose Commitment Mr. *Cromwell* moveth, were sent unto the Tower on *Thursday* the 2^d day of this instant *March* foregoing; for whose liberty Sir *John Higham* had also moved before on *Saturday* the 4th day of the same Month last past.

The Bill for errors in Records of Attainders was read the second time with the amendments, and upon the motion was ordered to be ingrossed.

On *Tuesday* the 14th day of *March* the Bill for confirmation of the Subsidy granted by the Clergy was thrice read, and passed upon the question.

The Bill against buying of Wares by strangers was upon the second reading committed unto Mr. *Aldersey*, Mr. *Saunders*, Mr. *Harris* and others, who were appointed to meet upon *Tuesday* next in *Serjeants-Inn* Hall in *Chancery Lane*.

The Bill for Curriers was read the second time and committed to the Committees aforesaid, and to Mr. Recorder, Mr. *Beale*, Mr. *Salkingston*, and others, and the Bill was delivered to Mr. *Salkingston*.

The Bill for fraudulent Conveyances by Traytors was upon the second reading committed unto Mr. Solicitor, Mr. *Harris*, Mr. *Wroth*, Mr. *Conisbie*, and others, and the Bill was delivered to Mr. Chancellor of the Exchequer one of the said Committees, who with the rest was appointed to meet in the Exchequer Chamber this Afternoon.

The Bill for payment of Sir *Gerrard Croker* his debts was brought in again by the Committees being amended, after the same was ingrossed and passed upon the Question.

The Bill for Horse-stealing was read the third time with the amendments and additions, and dashed upon the question.

Mr. Attorney and Mr. Doctor *Carew* do bring from the Lords two Bills; of which the first was for the Sale of *Thomas Hanfords* lands.

Three Bill of no great moment had each of them one reading; of which the last being an

Act for the more speedy and due execution of certain Branches of the Statute of 23. of her Majesty, to keep her Majesties Subjects in due obedience, was read the first time.

Two Bills were sent up to the Lords from the House of Commons; whereof the first was the Bill for the Subsidy of the Clergy.

Nota, That there is no mention made of the sending up of these two Bills in the Journal-Book of the House of Commons, which happened through the negligence of Mr. *William Onslow* at this time supplying the place of the Clerk of that House, and therefore it is supplied out of the Original Journal-Book of the Upper House.

On *Wednesday* the 15th day of *March* two Bills of no great moment had each of them their first reading; whereof the first was the Bill of Fines for abridging Proclamations.

The Bill for payment of *Hanfords* debts was twice read, and committed unto Mr. *Morrice*, Mr. *Cromwell*, Mr. Solicitor, Mr. Comptroller and others, and the Bill was delivered to Mr. Comptroller.

The Bill for delay of Execution in Writs of Errors was thrice read and upon some arguments upon the Bill again committed unto Mr. Vice-Chamberlain, Mr. Chancellor, Mr. *Wolley*, Mr. *Cromwell* and others, who were appointed to meet this Afternoon in the Exchequer Chamber.

Nota. That this Bill was committed after the second reading upon *Monday* the 27th day of *February* foregoing, and now again (as it seemeth) upon the third reading (which is not usual) by reason of some dispute that rose about it.

Two Bills were sent up to the Lords this day; of which the first was touching errors in records of Attainders of High Treason, and the second for repealing of a Statute touching Fish made in *Anno* 13 *Reginæ* Eliz.

The sending up of these two Bills is not at all mentioned in the Journal-Book of the House of Commons, which happened in this place as in divers others of this second meeting of this present Parliament, through the inexperience and negligence of Mr. *William Onslow*, who supplied the place of Mr. *Fulk Onslow* Clerk of the said House, being detained from thence by sickness, and therefore it is supplied out of the Original Journal Book of the Upper House.

On *Thursday* the 16th day of *March* the Bill for Recusants was upon the second reading committed unto all the Privy Council of this House, Sir *Robert Jermin*, Sir *John Higham*, Sir *William Moore* and others, who were appointed to meet this Afternoon in the Exchequer Chamber.

The Bill against delay of Execution by Writs of Error being put to the question upon the third reading, by the division of the House the same was dashed.

The Bill for to take away one Proviso made 13^o of the Queen for Deeds, Grants, &c. was dashed upon the question; but after what reading it

it was dashed, it doth not appear; yet it is probable it was upon the second reading, it having been read the first time upon the *Wednesday* immediately foregoing.

The Bill for confirmation of Letters Patents from her Majesty under the great Seal of *England, &c.* was twice read and committed to be ingrossed.

The Bill for making of Cloths in *Suffolk* was upon the second reading committed unto Sir *Robert Jermin*, Sir *John Higham*, Sir *William Moore*, Mr. *Cromwell* and others; and the Bill was delivered to Sir *Robert Jermin*, who with the rest was appointed to meet to Morrow in the Afternoon in the *Guildhall*.

Mr *Edward Penruddock*, Mr *Sprynt*, Mr *Richard Lewkenor*, and Mr *Gyles Estcourt* have leave to depart; but upon what reasons or grounds the House gave them leave is very negligently omitted.

On *Friday* the 17th day of *March* the Bill for Fines with Proclamation was upon the second reading committed to be ingrossed.

The Bill for *Avenon* was upon the second reading committed to Mr Vice-Chamberlain, Mr Chancellor, Mr *Woolley*, Sir *Robert Jermin*, and others, who were appointed to meet to morrow in the Afternoon in the Exchequer-Chamber.

A Proviso added to the Bill of Fines was twice read, and ordered to be ingrossed.

The Bill for Errors in Fines brought in by the Committees with the Amendments was twice read, and committed to be ingrossed.

A Saving to *Hanford's* Bill was twice read, and committed to the former Committees.

The Bill brought in again by the Committees against Recusants with a Proviso and Amendments also twice read.

The Bill for continuance of Statutes was read the third time, and passed not upon the Question. A Proviso also added to the same Bill, that no person shall put in Sureties upon any Information was twice read, and committed unto Mr. Recorder, Mr. *Glanville*, Mr. *Harris*, Mr. *Wroth*, Mr. *Philipps*, Mr. *Morley*, Mr. *Fanshaw*, Mr. *Hare*, and Mr. *Jones*, who were appointed to meet at the *Middle-Temple Hall* this Afternoon at four of the Clock.

Nota, That it is not expressed in the Original Journal-Book whether this Bill passed upon the third reading or not, but it is most probable that the House did defer to give their assent unto it, until the foresaid Proviso should likewise have its third reading: and that which further confirms the not passing of it at this time is, because upon *Monday* the 20th day of this instant *March* following divers Committees were appointed to go up unto the Lords, and to confer with them about this said Bill.

Sir *George Hastings* hath pardon of his absence this Parliament.

Two Bills had each of them one reading; of which the last being a Bill against Extortion of

Sheriffs was twice read, and committed unto Mr *Philips*, Mr. *Harris*, Mr. *Wroth*, Mr. *Cromwell* and others, who were appointed to meet in the Afternoon in the *Middle-Temple Hall*.

On *Saturday* the 18th day of *March*, Four Bills of no great moment had each of them one reading; of which the last being the Bill for Recusants with the Proviso, was read the third time and passed upon the Question.

Mr. Speaker declared to the House from her Majesty, That she thanked God, understanding of their great love unto her in regard of her charges sustained in the *Low-Countries*, and that her Majesty was contented this Afternoon that some convenient number of them should have Audience before her Majesty. Whereupon these persons were appointed by the House, all the Privy-Council of this House, Sir *Robert Jermin*, Sir *John Higham*, Sir *Henry Cock*, Sir *Thomas Browne*, Mr. *Fortescue* Master of the Requests, Sir *John Peter*, Sir *William Moore*, Mr. *Wroth*, Mr. *Tasborough*, Mr. *Markham*, Mr. *Revel* and Mr. *George Moore*. *Vide* concerning this business on *Saturday* the 11th day of this instant *March* foregoing.

The Proviso that persons Arrested by Informers may appear by Attornies was read the third time, and passed upon the question.

Mr. *Wingfield* was brought into this House to Answer his misdemeanor against Mr. *Walton* a Member of this House, for that, as *Walton* informed, Mr. *Wingfield* did offer to draw his Weapon upon him and gave evil Language, which Mr. *Wingfield* denied, and said, for that his Brother was slain by of *Walton*, and *Walton* being an Accessary to that Murther, he said he could not well take it, and knew not what might happen.

Whereupon Mr. Speaker exhorted him to remit all that was past, seeing that he had taken the course of Law for his Brothers Death; unto which Exhortation Mr. *Wingfield* yielded, and so was discharged.

The Bill for payment of *Fishers* Debts was sent from the Lords with a Proviso and Amendments, which were thrice read and assented unto by the House upon the Question.

Two Bills were brought up to the Lords from the House of Commons; the first touching Exemplifications and Constats of Original Conveyances made to the Queens Majesty, and the second for limitation of time touching Writs of Error upon Fines and Recoveries.

The sending up of these two Bills is not at all mentioned in the Journal-Book of the House of Commons, which happened in this place, as in divers others of this second meeting of this present Parliament, through the inexperience and negligence of Mr. *William Onslow* who supplied the place of Mr. *Fulk Onslow* Clerk of the said House, being detained from thence by sickness, and therefore it is supplied out of the Original Journal-Book of the Upper House.

On *Monday* the 20th day of *March*, Three

Bills of no great moment did each of them pass upon the Question after the third reading; of which the first was the Bill to prevent Extortion in Sheriffs and Under-Sheriffs, &c. for Executions.

The House appointed divers to go up to the Lords to confer with them about the Bill for continuance of Statutes, who were as followeth; Mr. Chancellor of the Exchequer, Mr. Attorney of the Wards, Mr. Morrice, Mr. Saunders, Sir William Moore, Mr. Cromwell, Mr. Hare, and Mr. Francis Bacon.

Vide concerning this Bill on Friday the 17th day of this instant March foregoing.

The old Committees (appointed on Wednesday the 15th day of this instant March foregoing) in the Bill for the payment of *Hanfords* Debts, were to meet this Afternoon in the *Middle-Temple* Hall; and the Bill which came from the Lords, and the new Bill drawn by the said *Hanford* (which was once read) were both delivered to Mr Comptroller, being one of the said former Committees.

Six Bills were sent up to the Lords; the first touching the Sale of *Edward Fishers* Lands; the second for the more speedy and due Execution of certain Branches of the Statute made in the twenty third year of the Queens Majesties Reign, Intituled an Act to retain the Queens Majesties Subjects in their due obedience; the third for continuance of Statutes; the fourth to prevent Extortion in Sheriffs, Under-Sheriffs, &c. the fifth for abridging of Proclamations to be made upon Fines levied in the Court of Common Pleas; and the sixth to avoid fraudulent Assurances made in certain Cases with a Proviso annexed and Amendments.

Nota, That the sending up of these six Bills is not at all mentioned in the Journal-Book of the House of Commons, and therefore it is supplied out of the Original Journal-Book of the Upper House.

On Tuesday the 21th day of March, the Bill for exemplifying Letters Patents was read the third time, and passed upon the question.

The Bill new brought in for the payment of *Hanfords* Debts, he himself being present assented to it, and did subscribe every leaf with his own hand; whereupon the Bill was read twice, and Ordered to be ingrossed.

The Bill to avoid fraudulent Conveyances made in certain Cases by Traytors, was sent down from the Lords to the House of Commons. Two Bills also of no great moment were sent up from the said House to the Lords.

The sending up of these two Bills to the Lords, or the sending down the first Bill to the Commons is very negligently omitted in the Original Journal-Book of the House of Commons, and are therefore inserted (as the like was done Yesterday and upon divers other dayes) out of the Original Journal-Book of the Upper House.

The Bill for payment of *Hanfords* Debts was

read the third time, and passed upon the question.

The Bill for breeding of Horses in the waste grounds of *Devon* and *Cornwall*, was read the second time.

A Proviso offered by Mr. *Conisbie* to be inserted into the same Bill; which being read, the Bill and the Proviso were dashed upon the Question, whether they should be ingrossed or no.

The Bill for the continuance and perfecting of divers Statutes was sent from the Lords to the House of Commons by Serjeant *Gawdie* and Doctor *Carew*.

A new Bill also for the sale of *Thomas Hanfords* Lands was sent up to the Lords (as it should seem) by Mr. Treasurer and others.

The mutual sending of these two Bills from either House to other, is very negligently omitted in the Original Journal-Book of the House of Commons, and is therefore inserted out of the Original Journal-Book of the Upper House.

An Order delivered by Mr Cromwell Entred by consent of the House.

Whereas upon complaint made to this House (upon Monday the 21th day of November in the first meeting of this present Parliament) on the behalf of the Borough of *Grantham* in the County of *Lincoln*, against *Arthur Hall* Gentleman, that the said *Arthur Hall* had Commenced Suits against them for Wages by him demanded of the said Borough, as one of the Burgesses of the Parliament in the Sessions of Parliament holden the thirteenth, fourteenth, eighteenth and twenty third years of the Reign of our Sovereign Lady the Queens Majesty, wherein it was alledged that the said Borough ought not to be charged as well in respect of the negligent attendance of the said Mr. *Hall* at the said Sessions of Parliament and some other offences by him committed at some of the said Sessions, as also in respect that he had made promise not to require any such Wages; the Examination of the said cause on the second day of December in the last Session (mistaken for Meeting) of this Parliament by Order of this House was committed unto Sir *Ralph Sadler* Knight Chancellor of the Dutchy, Sir *Walter Mildmay* Knight Chancellor of the Exchequer, *Thomas Cromwell*, *Robert Markham* and *Robert Wroth* Esquires; This day report was made by the said Committees that not having time during the last Session of Parliament (mistaken for Meeting) to examine the circumstances of the cause, they had in the mean Season by their Letters advertised my Lord Chancellor, that the said cause was committed unto them, and humbly requested his Lordship to stay the issuing forth of any further Process against the said Borough until this Session of Parliament (mistaken for Meeting), which accordingly his Lordship had very honourably performed. And the said Committees did further declare, that having, during this Session of Parlia-

ment (mistaken for Meeting) sent for Mr. *Hall*, declared unto him the effect of the complaint against him, they had desired him to remit the said wages which he had demanded of the said Borough, whom they found very conformable to condescend to such their request; and that the said Mr. *Hall* then affirmed unto them, that if the said Citizens of the said Borough would have made suit unto him, he would upon such their own Suit then remitted the same, so was he very willing to do any thing which might be grateful to this House, and did freely and frankly remit the same; which being well liked of by this House, it was by them this day Ordered that the same should be entred accordingly.

On *Thursday* the 23th day of *March* the Bill for the Queens Majesties most gracious general

and free Pardon was sent down from the Lords by Serjeant *Gawdie* and Doctor *Carew*, which having passed the House was sent back again this Morning unto their Lordships, with another Bill which was for the continuance and perfecting of divers Statutes.

This day finally the Speaker with the rest of the House of Commons being sent for into the Upper House, and thereupon repairing thither, two Commissions under the Great Seal were read; by the first of which her Majesty being absent gave her Royal Assent to ten several Acts or Statutes which passed at this time, and by the other this Parliament was dissolved.

Nota, That all this days Passages are supplied out of the Upper House Journal.

THE

THE JOURNAL OF THE House of LORDS.

An Exact and perfect Journal of the Passages of the House of Lords, in the Parliament holden at Westminster, Anno 31 Reginæ Eliz. Anno Domini 1588. which began there (after one Prorogation of the same) on Tuesday the 4th Day of February, and then and there continued until the Dissolution thereof on Saturday the 29th Day of March, Anno Domini 1589.

THE Queens Majesty, soon after that her wonderful and glorious Victory which God Almighty had given her Navy over that vainly stiled *Invincible Armado* sent against her Realm of England by the Spanish King, summoned this her High Court of Parliament to begin on Tuesday the 12th day of November that present year 1588. and the 30th year of her Reign, that so by common Advice and Counsel she might prepare and provide against the inbred malice of that Prince and Nation, Sir Christopher Hatton Knight her Majesties late Vice-Chamberlain, being made Lord Chancellor in the room and stead of Sir Thomas Bromley Knight, who having been sick a great part of the last Parliament dyed in April following Anno 29 Regin. Eliz. Anno Domini 1587. But other occasions of some importance requiring the deferring of the said Assembly, her Majesty Prorogued the same in manner and form following.

Memorandum, That whereas the Queens Majesty by her Writ summoned her Parliament to begin and to be holden at Westminster this present Tuesday being the 12th day of November, her Highness for certain great and weighty Causes and Considerations her Majesty specially moving, by the advice of her Privy Council and of her Justices of both her Benches and other of

her Council learned, did Prorogue and adjourn the said Parliament until the 4th day of February next, by virtue of her Writ Patent sealed with the Great Seal, and bearing date the 15th day of October last past. Whereupon at this said 12th day of November the Archbishop of Canterbury, Sir Christopher Hatton Lord Chancellor, William Lord Burleigh Lord Treasurer, the Earl of Huntingdon, the Bishop of London and three other Barons repaired to the Parliament-Chamber commonly called the Upper House, and there in the presence of the Knights, Citizens and Burgeffes summoned to the said Parliament declared, That her Highness for divers good causes and considerations her specially moving, by her Highnesses said Writ had Prorogued the said Parliament from this said first summoned day until the 4th day of February next. Whereupon the Writ for the said Prorogation in the presence of all that Assembly was openly read by the Clerk of the Upper House *in hæc verba*.

ELizabetha Dei gratiâ Angliæ, Franciæ & Hiberniæ Regina, fidei Defensor, &c. Prædilectis & fidelibus nostris Prælatiis, Magnatibus & Proceribus Regni nostri Angliæ, ac dilectis & fidelibus nostris Militibus, Civibus & Burgensibus dicti Regni nostri ad præsens Parliamentum nostrum apud Civitatem nostram Westmonasterii 12. die Novembris proximè futuro inchoand' & tenend' convocatis & electis, & vestrum cuilibet Salutem.

Cum nos pro quibusdam arduis & urgentibus negotiis, nos, statum & defensionem dicti Regni nostri Angliæ & Ecclesiæ Anglicanæ concernentibus dictum Parlamentum nostrum ad diem & locum prædictos teneri ordinaverimus, ac vobis per separalia Brevia nostra apud Civitatem & diem prædictum interesse mandaverimus ad tractand. consentiend. & concludend. super hiis quæ in dicto Parlamento nostro tunc & ibidem proponerentur & tractarentur; Quibusdam tamen certis de causis & considerationibus nos ad hoc specialiter moventibus dictum Parlamentum nostrum usq; ad & in quartum diem Februarii prox. futurum duximus Prorogand. Ita quod nec vos nec aliquis vestrum ad dictum duodecimum diem Novembris apud Civitatem prædictam comparere teneamini seu ardeamini, volumus enim vos & quemlibet vestrum erga nos penitus exonerari. Mandantes & tenore præsentium firmiter injungendo præcipientes vobis & cuilibet vestrum & omnibus aliis quibus in hac parte intererit, quod ad dictum quartum diem Februarii apud prædictam Civitatem Westmonasterii personaliter compareatis & interfutis, & quilibet vestrum compareat & intersit ad tractand. faciend. agend. & concludend. super hiis quæ in dicto Parlamento nostro de communi Concilio dicti regni nostri favente Domino contigerint, ordinari. In cujus rei testimonium has Literas nostras fieri fecimus Patentes. Teste meipsa apud Westmonasterium 15. die Octobris Anno Regni nostri 30.

Per ipsam Reginam

Ha. Gerrard.

On Tuesday the 4th day of February in the 31. year of her Majesties Reign, to which day the Parliament had been last Prorogued upon Tuesday the 12th day of November foregoing, and accordingly now held, The Queens Majesty was personally present, accompanied by the Lord Chancellor and divers of the Lords both Spiritual and Temporal; but the Original Journal-Book of the Upper House doth not at all mention the presence of any Lords, which happened through the great negligence of Mr Anthony Mason at this time Clerk thereof, yet it may be collected February 8.

The Queen being set under her Cloth of State, and the Lords placed in their Parliamentary Robes according to their several ranks and orders, the Knights, Citizens, Barons and Burgeßes of the House of Commons had notice thereof, and thereupon repaired to the said Upper House, and as many of them as conveniently could being let in, stood before the Rail or Bar at the nether end thereof. Then Sir Christopher Hatton Knight Lord Chancellor of England, in a Speech which he used, did at large declare the Queens gracious disposition to peace, and her great wisdom in preserving the same and singular government of the Realm. Next he shewed the great benefit which this Kingdom enjoyed by her government, and remembered her great Conquest over the Spanish late won-

derful Army or Fleet on the Seas, *videlicet in Anno 30 Regin. Eliz. Anno Domini 1588.* He further declared how much the King of Spain remained bent against this Kingdom. And lastly, shewed the Cause of calling this Parliament to be, that by the consent of the most grave and wise Persons now called together out of all parts of the Realm, preparation may as far forth by the Counsel of man as is possible, be made and provided, that Arms, Souldiers and Money may be in readines; and an Army prepared and furnished against all Events.

The Lord Chancellors Speech being ended, the Clerk of the Parliament read the names of the Receivors and Triors of Petitions in French, according to the usual form, which were these.

Receivors of Petitions for England, Ireland, Wales and Scotland, Sir Christopher Wray Chief Justice, Sir Gilbert Gerrard Knight Master of the Rolls, Sir Robert Shute one of the Justices of Kings Bench, Dr Aubrey and Dr Ford.

Receivors of Petitions for Gascoigne and other Countries beyond the Seas and the Isles, Sir Edmond Anderson Chief Justice of the Common Pleas, Sir Roger Manwood Chief Baron, Francis Windham one of the Justices of the Common Pleas, Dr Clerk and Dr Cary.

Tryors of Petitions for England, Ireland, Wales and Scotland, The Archbishop of Canterbury, the Earl of Darby, the Earl of Worcester, the Earl of Sussex, the Bishop of London, the Bishop of Winchester, the Lord Howard of Effingham Lord Admiral, Lord Cobham, the Lord Grey of Wilton.

Tryors of Petitions for Gascoigne and for other Countries beyond the Seas and the Islands.

The Earl of Oxford great Chamberlain of England, the Earl of Warwick, the Earl of Pembroke, the Bishop of Salisbury, the Bishop of Lincoln, the Bishop of Rochester, the Lord Hunsdon Lord Chamberlain to the Queen, the Lord Lumley and the Lord Buckhurst.

As soon as the Clerk of the Parliament had read these names, and had likewise ended other things of course belonging unto them, *viz.* That the first Tryors of England, &c. or any four of them, calling unto them the Lord Chancellor and the Lord Treasurer and also the Queens Serjeants, should at their leisure meet together in the Chamberlains Chamber, and that the last Tryors of Gascoigne, &c. or any four of them, calling unto them the Queens Serjeants, the Queens Attorney and Solicitor, should hold their place when their leisure did serve them to meet in the Treasurers Chamber. Then the Queen continued the Parliament unto a day to come, which is entred in the Original Journal-Book of the Upper House in manner and form following; *viz. Ipsa Regina continuavit præsens Parliamentum usq; in diem Jovis prox. hora secunda post Meridiem.*

On Wednesday the 5th day of this instant February, although the Upper House sate not, yet was

was one extraordinary Proxy returned or brought in unto the Clerk of the said House, as there had formerly been another of a like nature returned on *Monday* the third day of the said Month foregoing, which because it was returned before the Parliament it self began, and is entred together with that before mentioned in the beginning of the Original Journal-Book of the said House, it shall not be much amiss to set them down both together in this place, in such manner and form as they are entred in the said Journal-Book, viz.

Vacat. 3. die Februarii introductæ sunt Literæ procuratoriæ Willielmi Aflaphen' Episcopi, in quibus Procuratores suos constituit Johannem Archiepiscopum Cantuar' & Johannem Episcopum Rossen, & Hugonem Episcopum Bangoren'.

Nota, That though the word *vacat* be here placed in the Original Journal-Book of the Upper House in the Margent of this Proxy in such manner and sort as this is transcribed; yet there doth not appear any reason thereof: for as it may be collected by the presence of the Lords set down on *Saturday* the 8th day of this instant *February* following, neither the said Bishop of *S^t Asaph* was present himself after the said Proxy sent, nor all nor any of his Proctors absent, nor himself dead, which are only causes of a *Vacat*.

5^{to} Die Februarii introductæ sunt Literæ procuratoriæ Johannis Carliolen' Episcopi; in quibus Procuratorem suum constituit Johannem Archiepiscopum Cantuarien'.

Nota, That these Two Proxies are therefore called unusual and extraordinary, because these two Bishops did constitute (the first of them) three Proctors, and the last of them but one; whereas for the most part the Spiritual Lords do nominate two, and the Temporal Lords but one; which may be collected in part out of the very Returns of this Parliament: for of five Spiritual Lords that sent their Proxies, three constituted two Proctors a piece, and of seven Temporal Lords not any nominated more than one.

It is also worth the observation, that the Lord *Burleigh* the Lord Treasurer had this Parliament four several Proxies sent unto him (entred in the Original Journal-Book of the Upper House in such order as they be here set down) viz. from the Lord *Dacres*, the Earl of *Warwick*, Viscount *Mountacute* and the Lord *Lumley*.

On *Thursday* the 6th day of *February*, to which day the Parliament had been last continued, the Queens Majesty was personally present, coming unto the said Parliament in her accustomed State and Order about three of the Clock in the Afternoon, it being the time appointed for the House of Commons to present their Speaker or Prolocutor, whom they had been authorized to chuse on the last *Tuesday* when the Parliament first began. And there-

upon accordingly the Queen and Lords being set, and the said Knights, Citizens and Burgeses of the House of Commons let into the Upper House, two of the most eminent Personages of the said House did lead up to the Bar of the Upper House *George Snagg* Serjeant at Law who was chosen the Speaker or Prolocutor of the said House of Commons, who being placed at the said Bar, and silence being made, did in a modest and discreet Speech disable himself by reason of his many imperfections, and humbly desired her Majesty to discharge him of that great place, and to nominate some other more able and sufficient Member of the said House. Whereupon the Lord Chancellor by commandment from the Queen did let him know, that her Majesty did very well allow of his choice, and thereupon encouraged him willingly and chearfully to undertake and execute that charge and place to which he had been by the free and unanimous consent of the House of Commons elected and chosen. Upon which Speech of the Lord Chancellor the said Speaker according to the usual course and form rendring all humble thankfulness to the Queens Majesty for her undeserved goodness towards him in conceiving him able and worthy for the execution of a place of that great charge and trust, and promising his care and readines with all diligence to undergo the same, he did offer up unto her said Majesty divers petitions in the name and on the behalf of the said House of Commons; first, That during the continuance of this Session, themselves and their necessary attendants and servants might be freed from all suits and arrests; secondly, That they might have free access unto her Majesty upon all urgent and important occasions; and thirdly, That they might have free liberty of speech in the said House to debate and dispute of such matters and things as shall be there purposed: And lastly, He petitioned her Majesty in his own behalf, that if any thing should be mistaken or unwillingly omitted by himself, that she would be graciously pleased to pass by and pardon the same. To which speech the Lord Chancellor by commandment from the Queen shortly replied, That her Majesty was graciously pleased to grant all his said Petitions, and that he the said Speaker and the House of Commons should use and enjoy all such liberties and priviledges as others before them had been accustomed to use and enjoy in the times of her Majesties most noble Progenitors, and withal admonishing them not to extend the said priviledges to any unreverent and misbecoming speech, or unnecessary accesses to her Majesty.

Nota, That the presence of the Lords is here omitted, as it was before upon the first day of this Parliament through the Clerk of the Upper House his great negligence; where also the foresaid Presentment of the Speaker is but shortly set down.

Then followed the continuance of the Parliament, which is thus entred in the Original Journal-

Journal-Book of the Upper House, viz. the Lord Chancellor by the Queens Commandment *continnavit præsens Parliamentum usq; in diem Sabbathi prox' hora octava.*

On Saturday the 8th day of February, to which day the Parliament had been last continued, were present these Lords Spiritual and Temporal following, viz.

Archiepiscopus Cantuarien'.
Episcopus London'.
Episcopus Winton'.
Episcopus Sarum.
Episcopus Rossen'.
Episcopus Cestren'.
Episcopus Coven'. & Litchf.
Episcopus Gloucestren'.
Episcopus Lincoln'.
Episcopus Petriburgen'.
Episcopus Hereford.
Episcopus Cicestren'.
Episcopus Bangor.

Nota, That though the Bishops names are sometimes placed after the Earls and Viscounts, as they are commonly in all places where they are made Committees; yet in all the Journals of the Upper House where the presence of the Lords is marked, they are always thus placed on the dexter side, in respect chiefly of the Archbishop of Canterburies place, which is before all others next the Prince.

Christopherus Hatton Miles Cancellarius Angliæ.
Dominus Burleigh Dominus Thesaurarius Angliæ.
Marchio Winton'.
Comes Darbiæ Magnus Seneschallus.
Comes Kantii.
Comes Suffex.
Comes Huntingdon.
Comes Bathon.
Comes Pembroke.
Comes Hartford.

Barones.

Dominus Howard Admirallus Angliæ.
Dominus Hunsdon Camerarius.
Dominus Audeley.
Dominus Strange.
Dominus Cobham.
Dominus Stafford.
Dominus Gray de Wilton.
Dominus Darcie.
Dominus Sands.
Dominus Windfor.
Dominus Cromwell.
Dominus Wharton.
Dominus Rich.
Dominus Willoughbie.
Dominus North.
Dominus St John.
Dominus Buckhurst.
Dominus Norris.

Nota, That these names of such Lords as were present; are supplied here out of the Original Journal Book of the Upper House on the third day of the Parliament, because it is the first on which their presence is noted, it having been omitted in the two foregoing days by the great negligence of Mr. Anthony Mason at this time Clerk of the said House.

Two Bills of no great moment had each of them their first reading; of which the last was the Bill for the maintenance of Husbandry and for increase of Tillage.

Dominus Cancellarius continuavit præsens Parliamentum usq; in diem Lunæ prox' hora nona.

On Monday the 10th day of February, to which day the Parliament had been last continued, were four Bills read; whereof the last being a Bill concerning Captains and Souldiers was read *secunda vice* & *commissa Domino Thesaurario*, Marchioni Winton', the Earl of Oxford, the Earl of Shrewsbury, Lord Steward, the Earl of Kent, the Earl of Cumberland, the Earl of Suffex, the Earl of Effex, the Bishop of Winchester, the Bishop of Coven' and Litchf. the Bishop of the Lord Admiral, the Lord Chamberlain, the Lord Audley, the Lord Strange, the Lord Cobham, the Lord Grey, the Lord Wentworth, the Lord Cromwell, the Lord North, the Lord Buckhurst and the Lord Norris, Serjeant Puckering and Mr. Attorney.

Nota, That here were Attendants of the Upper House and no Members of it, are made joint Committees with the Lords, which is very usually done in the Parliaments foregoing in the Reign of this Queen; where also the Judges being but meer Assistants of the said House are often nominated Committees also: Whereas in the two last Parliaments of her Majesties Reign, viz. in Anno 39 & Anno 43. and in these latter times of King James and our present Sovereign his Son, these are seldom or never nominated as Committees, but only as Assistants to the Committees to give their advice if they shall be required, and not otherwise. And though the Clerk of the Parliament might at some time mistake and err in setting down such for Committees as were only Commanded to be Attendant upon or Assistant unto the said Committees; yet that he should so often mistake in so many Parliaments, and the rather because such Committees are frequently named divers times in sundry of the several Sessions, it is most unlikely and improbable.

On Friday the 14th day of February the Bill for the more speedy payment of Fines and Tenths was read *prima vice*.

Memorand. The Lords Committees brought in the Bill concerning Captains and Souldiers with Amendments; and by reason of divers defects in the same Bill, they had framed a new Bill, which new Bill by the consent of all the Lords was received and read *prima vice*.

Two Bills had each of them one reading; of which the first being a Bill touching *Constats* of

Original Conveyances made to the Queens Majesty was read *secunda vice*; And the second being a Bill to save discontinuance of Writs of Error upon Errors in the Court of Exchequer, was read *secunda vice & commissa Archiepiscopis Cantuar' & Ebor', Domino Seneschallo*, three Earls, three Bishops, six Barons, *Magistro Rotulorum, Servienti Shuttleworth, Magistro Attornato & Sollicitatori*.

Dominus Cobham & Dominus Stafford robis Parlamentariis induti introduxerunt Dominum Talbot, eumq; ad locum suum perduxerunt preeunte Gartiro principali Reg. Armorum, qui etiam tunica armorum indutus erat.

On Saturday the 15th day of February, to which day the Parliament had been last continued, three Bills were read; whereof two of them, the first being a Bill for maintenance of Houses of Husbandry and Tillage, and the second being a Bill for Horse-stealing and House-burning were read *secunda vice & tunc commissa Domino Thesaurario, 4 Comitibus, 2 Episcopis, 8 Baronibus, Justiciar' Gawdie, Servienti Puckering, & Sollicitatori Regine*.

On Monday the 17th day of February, to which day the Parliament had been last continued four Bills were read; of which the first being a Bill for reformation in excess of Apparel was read *secunda vice & commissa Domino Thesaurario, 3 Comitibus, 2 Episcopis, 6 Baronibus, Servienti Shuttleworth, & Sollicitatori Regine. Quod nota.*

On Tuesday the 18th day of February, to which day the Parliament had been last continued, were four Bills read; whereof the first being a Bill providing remedy against discontinuance in Writs of Error in the Exchequer and Kings Bench, was read *tertia vice & conclusa*, and sent to the House of Commons by Serjeant Shuttleworth and Dr. Aubery with three other Bills.

On Thursday the 20th day of February, to which day the Parliament had been last continued, were four Bills read; of which the first being a Bill for having Horse-Armour and Weapons was read *prima vice*.

On Saturday the 22th day of February, to which day the Parliament had been last continued, were three Bills read; of which the last being a Bill concerning Captains and Souldiers was read *tertia vice & conclusa*, and together with the two Bills aforesaid sent to the House of Commons by Serjeant Puckering and Doctor Ford.

Three Bills were also sent from the House of Commons, viz. a Bill concerning Informers; and two others of no great moment.

On Monday the 24th day of February, to which day the Parliament had been last continued, were four Bills read; whereof one of them being a Bill for Writs upon Proclamation upon Exigents to be Currant within the County Palatine of Durham, was read *secunda vice & commissa Justiciario Gawdie. Quod nota.*

On Tuesday the 25th day of February, to which

day the Parliament had been last continued, were two Bills read; whereof the first being a Bill concerning Informers was read *prima & secunda vice & conclusa*, and so expedited.

And the second being a Bill for the abridgment of Proclamations upon Fines to be levied at the Common Law was read *secunda vice*, wherein the Lords finding some imperfections sent down Serjeant Shuttleworth and Dr Clark to the lower House, to pray a Conference with some of that House; which being yielded, the Lords Ordered for Committees the Lord Treasurer, the Lord Steward, the Bishop of Winton, the Lord Cobham, the Lord Buckhurst, and the Lord Chief Justice of the Common Pleas to attend the Lords.

Nota, That here one of the Judges is particularly nominated to attend upon the Lords Committees, which may further prove, that in all those former places where the Judges or the Queens Learned Council are named as Committees, it is no Error nor mistake of the Clerk. So that hence the difference may very well be gathered to be this, That where a Committee of the Lords was formerly used to be selected out to meet with another Committee of the House of Commons, here neither the Judges being but Assistants, nor the Queens Learned Council being but Attendants of and upon that House, were ever nominated or appointed as Joint Committees with the Lords, because the very Members of either House only are then admitted to partake of such matters of weight and secrecy as they do there commonly confer upon: But when the Lords do amongst themselves appoint a Committee to consider only of some ordinary Bill that is to pass their House, and especially if the Bill do concern matter of Law, here it antiently hath been used, and may still without any prejudice to the honour of that House be continued, that the Kings Learned Council but especially the Judges may be nominated as Committees alone or as Joint Committees with the Lords; for in regard that nothing can be absolutely concluded at a Committee, all matters shall still depend upon the resolution of the House, and so no inconvenience shall ensue thereupon.

After the Committees of both Houses had met, the Lords Committees proceeded to the Amendment of the Bill, and afterwards this present day the Bill and Amendments received their second reading and passed the House, and was sent down to the House of Commons to be amended by them, by Dr Cgrew and Mr Solicitor.

It appeareth by the Journal-Book, that the House of Commons having yielded to a Conference, did presently chuse Committees, and sent them up to the Upper House.

Two other Bills had each of them one reading in the House, and one Bill was sent up to the Lords from the House of Commons, all being of no great moment.

On Thursday the 27th day of February, to which day the Parliament had been last continued,

nued, two Bills of no great moment had each of them one reading; of which the first being a Bill for reformation of excess in Apparel was read *secunda vice & commissa uni Comiti & 4 Baronibus*.

On *Saturday* the first day of *March*, to which day the Parliament had been last continued on *Thursday* foregoing, two Bills of no great moment had each of them one reading; of which the first being a Bill for Writs upon Proclamations and Exigents to be currant within the County Palatine of *Durham*, was read *tertia vice & conclusa*.

This Forenoon also the Lords Committees returned the Bill for the having of Horses, Armour and Weapons, signifying that they could get no meeting but of so small a number as their Lordships would not deal in; so that the whole House presently proceeded to the Question whether it should be ingrossed or no; upon which question asked the Lords with one consent agreed that it should be ingrossed.

On *Monday* the 3^d day of *March*, to which day the Parliament had been last continued, two Bills of no great moment had each of them one reading; of which one of them was concerning the Sale of *Thomas Hanfords* Lands towards the payment of his Debts, and another had been this Morning sent up to the Lords from the House of Commons.

These Bills being sent up to the Lords by Sir *Francis Knowles* Knight Treasurer of her Majesties Household, and other Members of the House of Commons, they had also Order to desire of their Lordships in the name of the said House, that Mr. Solicitor being returned a Member thereof might be suffered to come thither and give his attendance in the same. To which desire of theirs their Lordships a little after sent down word by Mr. Serjeant *Puckering* and Mr. Attorney General to the said House, that the said Mr. Solicitor was called by her Majesties Writ to serve in the Upper House long before he was chosen a Member of the said House of Commons, and therefore thought it very fitting he should still continue his attendance in the said Upper House.

Nota, That there is no mention made in the Original Journal-Book of the Upper House of this Question touching the Attendance of the Queens Solicitor, but it was supplied out of the Original Journal-Book of the House of Commons, fol. 242. a.

On *Tuesday* the 4th day of *March*, Two Bills of no great moment had each of them one reading; whereof the latter being a Bill for the sale of *Thomas Hanfords* Lands, &c. was read *secunda vice*. Whereupon the Lords Ordered, that as well the said *Thomas Hanford*, as those that followed the Bill, should be warned to be before them with their learned Council at the next sitting of the Court, which shall be on *Thursday* next at nine of the Clock.

Two Bills also of no great moment were this Forenoon sent up to the Lords from the House of Commons; of which the first was the Bill for the better recovery of such costs and damages as shall be adjudged to any person against common Informers.

On *Thursday* the 6th day of *March*, to which day the Parliament had been last continued on *Tuesday* foregoing, the amendments of the Bill for the maintenance of Husbandry and Tillage were read *prima & secunda vice & commissa ad ingrossand*.

One Bill concerning the preservation of *Orford-Haven* was brought up to the Lords from the House of Commons.

Three Bills also of no great moment had each of them one reading; of which the first being a Bill to avoid abuses in chusing of Fellows and Scholars was read *prima vice*.

On *Saturday* the 8th day of *March*, to which day the Parliament had been last continued on *Thursday* foregoing, Three Bills of no great moment had each of them one reading; of which the first being a Bill for the maintenance of Husbandry and Tillage was read *tertia vice & conclusa*.

Mr Serjeant *Shuttleworth* and Mr Doctor *Ambery* were sent down from their Lordships to the House of Commons with two Bills; of which the first was the Bill for maintenance of Houses of Husbandry and Tillage, and the second for reformation of excess in Apparel: both which said Bills had been passed by their Lordships this Morning upon the third reading.

Nota, That the sending down of these two Bills is wholly omitted in the Original Journal-Book of the Upper House through the great negligence of the Clerk of the said House, and is therefore supplied out of the Original Journal-Book of the House of Commons, fol. 245. b.

On *Monday* the 10th day of *March*, to which day the Parliament had been last continued on *Saturday* foregoing, four Bills of no great moment had each of them one reading; of which the last being a Bill for an assurance to be made of the Jointure of *Anne* Wife of *Henry Nevill* Esquire, was read *secunda & tertia vice & communi omnium Procerum assensu conclusa*.

Memorandum. That before the third reading and passing of the Bill for the Jointure of the Wife of *Henry Nevill*, by which all former Conveyances made by the said *Henry Nevill* of the Mannors of *Waighfield* and *Wadhurst*, &c. in the County of *Sussex* were made frustrate and void: The Lords Ordered that the said former Conveyances should by the Parties to the same be brought into this House and delivered to the Clerk of the Parliament sealed up, to the end that if it shall please her Majesty to give her Royal Assent, That then the said Indentures and Convey-

Conveyances should be forthwith cancelled; but if it shall not please her Majesty to give her Royal Assent, Then the said Indenture and Conveyances should be safely re-delivered to the said parties unseen of any, and uncanceled. And to this all the parties agreed, as well before the Lords the Committees, as before the whole House.

Memorandum, That according to the said Order the Deeds mentioned were cancelled the 12th day of May Anno Regni Eliz. 31.

The Bill against Pluralities and Non-residence was this day brought up to their Lordships from the House of Commons.

Nota, That the bringing up of this Bill to their Lordships being omitted in the Original Journal-Book of the Upper House, is supplied out of that of the House of Commons, fol. 246. a.

On *Tuesday* the 11th day of March, The Bill against erecting and maintaining of Cottages was read *tertiâ vice*.

Two Bills also of no great moment were brought up to the Lords from the House of Commons; of which the first was a Bill of four Fifteens and Tenths, and two entire Subsidies granted by the Temporality.

The Bill for the assurance to be made of the Jointure of *Ann* the wife of *Henry Nevill* Esq. (which had been sent up to their Lordships from the House of Commons, with another Bill against Informers on *Tuesday* the 4th day of this instant March foregoing) was this day sent down again to the said House with some amendments by Doctor *Aubery* and Doctor *Cary*.

Nota, That the sending down of this Bill from their Lordships to the House of Commons is by the negligence of Mr *Anthony Mason*, at this time Clerk of the Upper House, wholly omitted in the Original Journal-Book of the said House and is therefore supplied here (as elsewhere also) out of that of the House of Commons.

On *Thursday* the 13th day of March, to which day the Parliament had been last continued on *Tuesday* foregoing, the amendments of the Bill for having Horses, Armour and Weapons, was read *prima & secunda vice, & commissa ad ingrossand.*

The Amendments also and a new Proviso annexed unto the Bill against Informers was read *secunda & tertia vice & communi omnium Procerum assensu conclusa*; and one other Bill of no great moment had its first reading.

The Bill for the better recovery of Costs and Damages against Informers (which had been sent up to their Lordships on *Tuesday* the 4th day of this instant March foregoing) was sent down again this day to the said House by Mr Doctor *Ford* and Mr Doctor *Cary*.

Nota, That the sending down of this Bill from the Lords to the House of Commons is wholly omitted in the Original Journal-Book of the Upper House, and is therefore supplied out of that of the House of Commons.

On *Friday* the 14th day of March, The Bill of Subsidy was once read, and the Provision of the Bill for *Orford-Haven* was read and concluded, and sent to the House of Commons by Serjeant *Shuttleworth* and Mr *Powle*.

On *Saturday* the 15th day of March, Six Bills of no great moment had each of them one reading; of which one being a Bill for the confirmation of the Subsidies of the Clergy, was read *prima & secunda vice, & commissa ad ingrossand.* And another being a Bill against erecting and maintaining of Cottages was read *tertia vice & conclusa*, and sent to the House of Commons by Doctor *Clark*.

On *Monday* the 17th day of March, to which day the Parliament had been last continued on *Saturday* foregoing, four Bills of no great moment had each of them one reading; of which the first being the Bill of the Subsidy was read *tertia vice & communi omnium Procerum assensu conclusa*.

There were also sent up to the Lords from the House of Commons this Forenoon six Bills of no great moment; of which the first was the Bill for reviving and enlarging of a Statute made in the 23^d year of her Majesties Raigh for repairing of *Dover Haven*, and the second was the Bill for the preservation of the Haven of *Orford* in the County of *Suffolk*.

On *Tuesday* the 18th day of March, Seven Bills of no great moment had each of them one reading; of which the first being the Bill against the abuses in election of Scholars and Presentation of Benefices was read *tertia vice & conclusa*; And the second being a Bill, that the Children of Aliens shall pay Strangers Customs was read *tertia vice* and concluded, and was sent down to the House of Commons with the former Bill by Doctor *Clark* and Doctor *Cary*.

There were also this morning brought up to the Lords from the House of Commons four Bills of no great moment; of which the first was a Bill for the better execution of the Statute made in the 8th year of her Majesties Reign touching Cloth workers and Cloths to be shipped over the Seas, and the second touching Outlawries.

The Two other Bills touching forcible Entries, and touching pleading at large in an *Ejectione firme*, which were sent up at this time with the two former, are omitted in the Original Journal-Book of the Upper House. and are therefore supplied out of that of the House of Commons.

On *Wednesday* the 19. day of March, Three Bills of no great moment had each of them one reading; of which the first being the Bill for avoiding of certain Conveyances and other Estates supposed to be procured by *Thomas Drenry* of the lands of *Thomas Haslrigge* with the Amendments was read *secunda & tertia vice & conclusa*.

On *Thursday* the 20th day of March, Two Bills of no great moment had each of them one reading;

reading; of which the first being a Bill concerning Pleadings in Actions of Trespas for Trespasles under the value of forty shillings was read *tertia vice & conclusa*.

An Act providing remedy against Discontinuances in Writs of Error in the Exchequer and Kings Bench was brought from the House of Commons.

On Friday the 21th day of March, Four Bills of no great moment had each of them one reading; of which the first being the Bill concerning the Hospital of Lamborne was read *tertia vice & conclusa*, and sent to the House of Commons by Serjeant Puckering.

There were also sent up to the Lords from the House of Commons this Forenoon three Bills of no great moment; of which the first was a Bill for Writs upon Proclamations and Exigents to be currant within the County Palatine of Durham.

On Saturday the 22th day of March four Bills of no great moment were brought up to the Lords from the House of Commons, of which the first was a Bill for avoiding of certain Conveyances, &c. procured by Thomas Drewry of the Lands and Leafes of Thomas Haslrigg, and the second was the Bill for the better recovery of such costs and damages as shall be adjudged to any person against common Informers.

The Lords having this Forenoon given three readings to the Amendments of the Bill for the better assurance of Lands and Tenements to the maintenance of the free Grammar School of Tunbridge in the County of Kent, did send the same Bill with those new Amendments to be passed also in the House of Commons by Doctor Carew and Mr Powle; the Bill it self having before passed that House, and had been sent up from them to the Lords on Monday the 17th day of this instant March foregoing.

On Monday the 14th day of March, to which day the Parliament had been last continued on Saturday foregoing, the Amendments of the Bill against abuses in Election of Scholars, &c. were read and concluded.

Three Bills of no great moment had each of them one reading; of which the last being a Bill for the repeal of certain Statutes was read *secunda vice*.

Five Bills were also brought up to the Lords from the House of Commons; of which the first was an Act against the erecting and maintaining of Cottages, sent up with the Amendments from the House of Commons; which said Amendments were thrice read, & *communi omnium Procerum assensu conclusæ*.

Memorand. quod Christopherus Wray Miles Capitalis Justic. de Banco Regis secum adduxit in Parlamento in Camera Parliamenti intra Dominos breve de errore & billam de Regina indorsat. ac Rotul. in quibus continebantur placit. & process. in quibus supponebatur error, & ibidem reliquit transcriptum totius recordi cum Clerico Parliamenti

simul cum predicto breve de errore in Parlamento.

On Tuesday the 25th day of March, Three Bills of no great moment were brought up to the Lords from the House of Commons; of which the first was an Act for confirmation of the Subsidy of the Clergy.

Four Bills also of no great moment had each of them one reading; of which the first being a Bill for the continuance of divers Statutes was read *secunda vice*.

No mention is made in the Journal-Book of the continuance or Adjournment of the Parliament, which seemeth to have been omitted by the Clerks negligence.

On Wednesday the 26th day of March, Three Bills were read; of which the first being a Bill to avoid secret Outlawries of her Majesties Subjects was read *tertia vice*, and sent to the House of Commons by Dr Carew. One Bill also of no great moment was sent up to the Lords from the House of Commons.

On Thursday the 27th day of March, divers of the Lords Spiritual and Temporal met, but nothing was done, saving the continuance of the Parliament unto the day next following.

On Friday the 28th day of March, Three Bills were sent up to the Lords from the House of Commons; of which the first was a Bill for Explanation or Declaration of the Statute of the eighth year of H. 6. concerning forcible Entries, the Inditements thereupon found expedite.

A Bill for the Naturalizing of Joice the Daughter of Ralph Esking Gentleman, and Wife of Richard Lambert Merchant, born beyond the Seas, was read *secunda & tertia vice*, and expedited.

Dominus Cancellarius continuavit præsens Parliamentum usq; in Crastinum dimid. horæ ante septimanam.

On Saturday the 29th day of March, to which day the Parliament had been last continued, one Bill for continuance of divers Statutes was read *tertia vice*, and sent to the House of Commons by Dr Stanhope and Mr Powle.

Mr Doctor Carew (in some other places also written Carie) and Mr Doctor Stanhop do bring from the Lords two Acts, viz. the Act of the Queens most gracious, general and free Pardon, and also the Act of the two Subsidies and four Fifteenths granted by the Temporality, which they carried down to the House of Commons, from whence the Bill of Pardon having there passed, it was a little after sent back again unto their Lordships by Mr Fortescue and others.

Nota, That the sending of these two Bills is omitted in the Original Journal-Book of the Upper House, and is therefore supplied out of that of the House of Commons.

The presence of such Lords as attended her Majesty, who was her self this day at the Dissolving of the Parliament in Person, is not much differing from that set down on Saturday the 8th

of February foregoing, only the two Earls of *Northumberland* and *Essex* then absent attended this day, as also the Lord *Strange*, the Lord *Morley*, the Lord *Talbot*, the Lord *Wentworth*, and the Lord *de la Ware* were at this time also present, though not then. Whereas the Lords *Audeley* and *Cromwell* then present were now absent; and for the Spiritual Lords it appeareth not at all who were present.

These being thus set, and the House of Commons, with Serjeant *Snagg* their Speaker, being let into the Upper House, the said Speaker according to the usual form presenting her Majesty with the Bill of two Subsidies and four Fifteenths granted by the Temporalty, desired her Highness graciously to accept thereof as the free testimony of the faithful and loyal respects of their Subjects, and withal desiring her Majesty to give her gracious consent to such Acts as had been prepared and expedited by the two Houses.

After the passing of which Bills the Dissolution of the Parliament is Entred in the Original Journal-Book of the Upper House in manner and form following, viz.

Dominus Cancellarius ex mandato Domine Regine tunc presentis dissolvit presens Parliamentum.

It should seem that her Majesty gave her Royal Assent, and that this Parliament was Dissolved this present *Saturday* the 29th day of *March* in the Forenoon, contrary to the usual course in such cases accustomed; for it appeareth in all other Journals for the most part to have been deferred till the Afternoon; and that this present Parliament was so Dissolved as aforesaid, it appeareth plainly by the last continuance of it on *Friday* immediately foregoing to this day in the Forenoon half an hour before seven of the Clock, to which early and unusual time of the day I suppose it was continued, because all things might be better expedited against her Majesties coming.

T H E
JOURNAL
O F T H E
House of COMMONS.

An Exact and perfect Journal of the Passages of the House of Commons, in the Parliament holden at Westminster, Anno 31 Reginae Eliz. Anno Domini 1588. which began there (after one Prorogation of the same) on Tuesday the 4th Day of February, and then and there continued until the Dissolution thereof on Saturday the 29th Day of March, Anno Domini 1589.

THIS Parliament was Summoned about three Months after Gods miraculous preservation of Religion, the Realm and her Majesties Person, from the ambitious and bloody Conquest of the Spanish King: and therefore the House did not only regard their private business, as the passing of Bills, discussing Elections, preserving their Priviledges and the like, with which this Journal is abundantly stored; but also the publick safety of her Majesty and her Realms by aiding her Highness with the unusual and extraordinary gift of four Fifteenths and Tenths and two entire Subsidies, the Clergy also adding two Subsidies of their own, and by desiring her also in the conclusion of this Parliament to denounce open War against the King of *Spain*, who had so lately invaded her, whom they concluded to have been the Root and Fountain of all the Conspiracies practised, and of all the Rebellions raised against her Majesty.

Although this Parliament had been summoned to have begun and to have been holden on *Tuesday* the 12th day of *November* last past; yet it held not, but was upon the said day in the thirtieth year of her Majesties Reign further Prorogued by her Majesties Writ unto *Tuesday* the 4th day of *February* in the thirty first year of the same.

On which said *Tuesday* the 4th day of *February*

it held accordingly, and her Majesty came in Person unto the Upper House, where Sir *Christopher Hatton*, being now Lord Chancellor, in her Highness presence declared unto the Lords Spiritual and Temporal, and to the Knights, Citizens and Burgeses of the House of Commons then and there Assembled, how great happiness they enjoyed under her Majesties peaceful and victorious Reign; and that though the Spanish late Wonderful Fleet had been lately defeated, yet there wanted not still power and malice in him against this Nation and her Majesty: and so much the more implacable it may be conjectured he now remains, because of his late defeature and loss before-mentioned. And therefore he shewed, that the cause of the calling of this Parliament was to provide by common Counsel against all his future attempts. And lastly he gave notice to those of the House of Commons to make present choice of some one amongst them to be their Speaker. Whereupon the Knights, Citizens and Burgeses of the said House departing thither, did chuse *George Snagg* Serjeant at Law for their said Prolocutor; who having modestly disabled himself, was notwithstanding allowed by the House, and thereupon placed by two of the most eminent Personages thereof in the Chair.

Concerning the former Prorogation or this latter days Passages upon the Parliament began, there is not any one word in the Original Journal-Book of the House of Commons, which (as it seemeth)

seemeth) happened through the great negligence of Mr *Fulk Onslow* at this time Clerk of the said House: For in the first page of the same Journal in the upper part thereof, it is thus written, *viz.* *Martis 4^{to} Februarii, Anno Regine Eliz. 31^o 1588.* and after it the whole leaf is left a blank, with intention doubtless at first that the manner of the beginning of this Parliament on the said day, together with the choice of the foresaid Speaker, should have been inserted at large.

It should seem also that according to her Majesties continuance of the Parliament on the foresaid *Tuesday* the 4th day of *February* unto two of the Clock in the Afternoon of the *Thursday* following being the 6th day of the same Month, the House of Commons late not this present *Wednesday*, being the 5th day thereof; and the rather, because their Speaker was not yet presented: which is gathered, as the Passages also of the two former days are transcribed, out of the Original Journal-Book of the Upper House; that so by that means this present Journal might remain perfect.

On *Thursday* the 6th day of *February* the Knights, Citizens and Burgeses of the House of Commons having notice about two of the Clock in the Afternoon, that her Majesty and the Lords Spiritual and Temporal were already come unto, and had taken their several places in the Upper House, expecting their attendance, they repaired thither with *George Snagg* Serjeant at Law their Speaker or Prolocutor Elect, and presented him unto her Majesty; who notwithstanding his humble disablings and excuses of himself, did by the Mouth of the Lord Chancellor signifie her allowance of him: and afterwards also did in like manner Answer to his Petitions of course made in the name of the House of Commons for freedom of Access, liberty of Speech, and freedom from Arrests and Suits; and lastly in his own name for Pardon for himself; That the said House of Commons and himself should enjoy and use all such Priviledges and Freedoms as had in the like case been enjoyed by any others in the times of her Majesties most Noble Progenitors. Whereupon the said Knights, Citizens and Burgeses, with their Speaker, departed to their own House.

Nota, That there is no mention made of the manner of the Presentment of the Speaker before mentioned in the Original Journal-Book of the House of Commons, but only in the upper part of the second leaf thereof is written in one line, Mr Serjeant *Snagg* Mr Speaker presented, and immediately under it in another line do follow these words, *viz.* *Jovis 6^o die Februarii 1588.* and after it the whole page is left a blank, except a few lines in the bottom of it, which contain the Bill usually read after the Knights, Citizens and Burgeses of the said House of Commons return to their own House with their Speaker newly admitted upon their Presentment of him. Which said blank page was doubtless left (as those others before mentioned) to the intent

and end at the first to have inserted therein the whole form and manner of the said Presentment and Admission.

The foresaid Bill, finally, read at this time upon the return of the Speaker and the rest from the Upper House, is Entred in the said Journal-Book in manner and form following, *viz.*

And then was read a Bill for reformation of deceitful practices used in reversal of Fines at the Common Law, the first reading.

On *Friday* the 7th day of *February*, upon a Motion made unto this House (which had likewise been made yesterday touching matters of the privilege of this House, it is Ordered that Mr Comptroller, Sir *William Moor*, Mr Lieutenant of the Tower, Sir *George Barnes*, Mr Recorder of London, Mr *Robert Wroth*, Mr *Thomas Cromwell*, Mr *Morrice*, Mr *Humsfry Conisbie* and Mr *Francis Alford* and every of them shall examine such matters of privilege as shall happen in this present Session of Parliament to come in question, and to make reports thereof unto this House, for the further order and resolution of this House and every of the same cases, as shall appertain.

The Bill touching Informers and Informations upon penal Statutes was read the first time.

Upon report this day made by *John Butler* Esquire one of the Burgeses for the Borough of *Malden* in the County of *Essex*, that *William Vernon* Gentleman also returned the other Burgeses for the same, is sick, and not able to give his attendance in the service of this House, and likewise willing and desirous that another be chosen to serve in his place; It is Ordered that a Warrant from this House be made unto the Clerk of the Crown for sending forth a new Writ for chusing another Burgeses in the lieu and stead of the said *William Vernon*.

Upon the like Motion also by *Hugh Hare* Gentleman, one of the Burgeses for the Borough of *Halesmeer* in the County of *Surrie*, made on the behalf of *Nicholas Hare* Esquire, returned one of the Burgeses for the Borough of *Horsham* in the County of *Sussex*; It is Ordered that a like Warrant be made for the returning of another Burgeses for the said Borough of *Horsham*, in the lieu and stead of the said *Nicholas Hare*.

This day the House was called, and all those that did then sit in the House and were present at the calling of the same, did thereupon severally Answer to their names, and departed out of the House as they were called.

Amongst whom one Master *Gerrard* Esquire being returned into this House one of the Knights for the County of *Lancaster*, and also for the County of *Stafford*, made his choice to appear and stand for the said County of *Stafford*; and thereupon it was Ordered that a Warrant of this House should be directed to the Clerk of the Crown for her Majesties Writ to chuse a new Knight for the said County of *Lancaster* in the lieu and stead of the said Mr *Gerrard*.

On *Saturday* the 8th day of *February* the Bill

to avoid the abuses grown by forestalling, Ingrossing and Regrating was read the first time.

Upon a motion this day made by Sir *Edward Hobby* touching the sundry abuses of returning the Knights and Burgesses into this House this present Session of Parliament, as in some not returned at all, some others returned erroneously, and for some places for which none hath been returned heretofore, and some returned superfluously, as two for one place and one for two places, and other corrupt courses in sundry of the Returns, to the great prejudice both of the liberties and also of the service of this House; It is ordered that it be committed unto Sir *William Moore*, Sir *Edward Hobby*, Mr *Edward Dyer*, Mr *Cromwell*, Mr Recorder of London, Mr *Alford*, Mr *Francis Hastings*, Sir *Edward Dymock*, Mr *Robert Markham*, Mr Lieutenant of the Tower, Mr *Rowland Watson* Clerk of the Crown, and that he do attend as well with the Returns of the Sheriffs as with his own Book of the same Returns certified by him into this House, and to meet in the Exchequer Chamber upon *Monday* next at three of the Clock in the Afternoon.

And upon a further motion made by Mr *Humplrey Conisby* for due consideration to be had that the Members of this House may give their better attendance in this House hereafter than hath been of late accustomed, This matter is also referred to the said former Committees, and the said Mr *Conisby* added unto them.

The Bill touching Informers and Informations upon Penal Statutes was read the second time, and committed unto all the Privy Council of this House, Mr Recorder, Sir *William Moore*, Mr *Grafton* and others who were appointed to meet in the Exchequer Chamber upon *Tuesday* next at two of the Clock in the Afternoon.

On *Monday* the 10th day of *February* the Bill touching the benefit of Clergy in some cases of Offenders, was upon the second reading committed unto Mr *Cromwell*, Mr Secretary *Wolley* and others, who were appointed to meet in the Star-Chamber upon *Wednesday* next at two of the Clock in the Afternoon.

Upon a motion this day made by Mr Treasurer, that Mr *Robert Knowles* Esquire being returned into this House both Knight for the County of *Brecknock* and also one of the Burgesses for the Town of *Reading*, and hath made his choice to appear as Knight of the said County of *Brecknock*; It is ordered that a Warrant from this House be directed to the Clerk of the Crown for another Writ to choose another Burgess for the said Town of *Reading*, in the lieu and stead of the said *Robert Knowles*.

Upon motions also made for some Burgesses returned into this Session and which are sick and desirous to have others to serve in their places to be returned upon new Writs, partly by Certificate of the same parties under their hands, and partly by report of some of the Members of this House; It is ordered after sundry arguments,

that this Case be considered of by the foresaid Committees this Afternoon (whose names see before on *Friday* the 7th day of this instant *February*) and Sir *Francis Godolphin*, Sir *Henry Cobham*, Mr *Francis Bacon*, Mr *Francis Moore* and Mr *Fane* are now added unto them.

A Bill that Lands Intailed and Copy-hold Lands may be liable to the payment of debts was read the first time, and after sundry Arguments rejected upon the question.

On *Tuesday* the 11th day of *February* a Bill touching the pursuit of Hue and Cry was read the first time.

Mr Treasurer in the name of himself and of the residue of the Committees (whose names see before on *Friday* the 7th day of this instant *February*) for examination of the Returns and attendance of the Members of this House, doth shew, that they met yesterday in the Afternoon, and having conferred together about those matters, were of opinion that this House is to take notice of all Returns only in such sort as the same shall be certified unto this House by the Clerk of the Crown in the Chancery and not otherwise, without any intermeddling at all with any business of the Sheriffs or of any others in making the Election of any such Member to be Knight, Citizen, Burgess or Baron; but yet that this House hath nevertheless authority in cases where no Return is made at all, to direct their Warrant under the hand of Mr Speaker unto the said Clerk of the Crown Office for her Majesties Writ to go forth for chusing and returning any Knight, Citizen, Burgess or Baron into this House in every such Case where any such shall not before happen to be returned at all. And further, that upon Conference they do find, that no new Knight, Citizen, Burgess or Baron hath been chosen in the place of another being sick, unless the sickness be irrecoverable in all likelihood, as Frensy or such like. And moreover where in the Return of the Burgesses for the Borough of *Appleby* in the County of *Westmerland* it appeareth, that in the Indenture returned being razed in the sentence of Election, *Laurence Lister* and *Thomas Musgrave* are named Burgesses, and in the sentence for giving them authority being likewise razed, *Robert Warcop* and *Anthony Felton* are named with the former hand, they do think it convenient upon the insufficiency and uncertainty thereof that a new Writ be granted for chusing of new Burgesses for the said Borough, and the said former Return not yet received of Record to be utterly disallowed. Which opinion of the said Committees in every behalf was well liked of by this House. And that as concerning better attendance to be given hereafter by the Members of this House for the service of the same House, they think it meet to be redressed by way of Fines or Amerciaments to be inflicted upon such the Members of this House as upon the calling of the House or otherwise shall be found to make such default, or to be much or long absent from the service of this House without Licence or some reasonable cause

to be shewed for the same. Which course was also well liked and allowed of by this said House.

And after this report made by Mr. Treasurer, Mr Speaker putting the House in remembrance of some persons already in this present Session allowed by this House to be returned into the place of some others sick, and the Warrants already gone out for the same being repugnant directly to one part of the said report now allowed and liked of by this House, doth desire to know the further resolution of this House touching those persons so now to be newly returned upon the said Warrants. And after some Speeches thereof had not thoroughly digested, Mr. Chancellor of the Exchequer stood up, and offering to speak of some great matter (but yet without prejudice to the due consideration of the things then in disputation) as very necessary, but yet to be referred to another time, putteth the House in mind of the prosperous and quiet state of this Realm under her Majesties most happy and Blessed Government by the space now of thirty years.

But what should here follow is very negligently omitted, especially there being almost three entire blank pages left for the inserting of it: but it may probably be conjectured that the chief end and scope of his Speech was, as to set forth the Excellency and Justice of her Majesties Government, so also to demonstrate the great Malice and Cruelty of the King of Spain, backed and assisted by so many Potent Allies; and that therefore it would be most necessary that some timely consultation be had for speedy preparation to be made, whereby to resist all his future attempts. And that lastly he did thereupon move the House to think of some supply to be given to her Majesty both in respect of her late great Charges, and also for the better enabling her to provide for the future safety of her Highness Dominions. And that the latter part of the foresaid Speech of Sir *Walter Mildmay* Chancellor of the Exchequer was touching some Aid to be given to her Majesty, it is most probable, in respect that the next business which is set down to have followed at the end of his said Speech, is the appointing of these Committees following, to consider of a Bill of Subsidy to be framed for her Majesties Aid, viz. All the Privy Council being of the House, the first Knight returned for every Shire, and in the absence of the first the second, Mr *Cromwell*, Sir *Edward Dyer*, Mr *Morrice*, Mr *Beal*, Mr *Ancon*, Mr. Recorder of London, Mr. *Skinner*, Mr. Doctor *Lewin*, Mr. *William James*, Mr. *Fairfax*, Mr. *Thomas Liefeld*, Mr. *Arthur Throckmorton*, Mr. *Fleming*, Mr. *Thomas Hamman*, Mr. *Robinson*, Mr. *Michaell Sands*, Mr. *Rugg*, Mr. *Tashorough*, Mr. *George Moor*, Mr. *Richard Brown*, Mr. *Tork*, Mr. *Walter Jones*, Mr. *Cope*, Mr. *Alford*, Mr. *Grimston*, Mr. *Finns*, Mr. *Bacon*, Sir *Henry Gray*, Mr. *Owtred*, Mr. *Aldersey*, Mr. *Hutton*, Mr. *Humphrey Conisbie*, Mr. *Robert Sackville*, Mr. *John Sribbs*, Mr. *William*

Brunker, Mr. *Tanfield*, Mr. *Fanshawe*, Mr. *Vizian*, Mr. *Davers*, Mr. *Sands* and Mr. *Weeks*, who were appointed to meet this Afternoon at three of the Clock in the Exchequer Chamber. Vide Febr. 17.

The Committees touching Informers, (whose names see on Saturday the 8th day of this instant February foregoing) are deferred to Friday next in the Afternoon, which had been appointed on the foresaid Saturday to have met this Afternoon.

Mr Speaker moved the House in the behalf of (Mr *Fulk Onslow*) the Clerk of the same, that having of late been long sick and yet somewhat recovered, albeit but weak still and sickly, and enjoying his Office by Letters Patents of the Grant of her Majesty to exercise the same by himself and his sufficient Deputy or Deputies, it might please this House in his absence (if he shall happen in regard of his health and necessary ease sometimes to withdraw himself from the exercise of his Office in this House in his own person) to accept therein the attendance and service of such of his own Clerks or Servants, as before his intermeddling therein within this House shall first have taken the Oath usually ministred unto all the Members of this House. And thereupon it was so granted and assented unto by this whole House accordingly.

On Wednesday the 12th day of February, Two Bills of no great moment had each of them their first readings; of which the first was the Bill touching *Orford-Haven* in the County of *Suffolk*.

Upon a Motion made unto this House by Mr *Puleston* Esquire returned into this House Knight for the County of *Flynt*, that *William Aylmer* Esquire did since the beginning of this Session of Parliament cause a *Subpœna* to be served upon him out of the Court of Star-Chamber, to the prejudice of the Liberties and Priviledge of this House, to Answer unto a Bill there containing almost forty sheets of paper, and so praying the Order of this House, offereth forth a Precedent of this House under the hand of the Clerk of this House heretofore in a like Case between one Mr *Alban Stepneth* a Member of this House, and Mr *Anthony Kirl* Gent. (which said Case was discussed in the Parliament de Anno 27 Regine Eliz. on Wednesday the 10th day, and on Thursday the 11th day of February) which Precedent being read by the Clerk, it was after some Speeches resolved, that the said Mr *Aylmer* should be called into this House by the Serjeant to Answer the said matter. Whereupon the said Mr. *Aylmer* being brought to the Bar, Mr Speaker in the name of this House charged him with the said contempt, and required his Answer thereunto; who in all reverent and humble sort shewed, that the said Bill whereupon the said *Subpœna* was awarded, did concern a wrong not only unto her Majesty, but also unto this honourable House, in an indirect course of proceeding in the Election of the Knights for the County of *Denbigh* into this present Parliament, procured by the said Mr *Puleston*;

Puleston; and so intimating, that the said Bill and serving of the said *Subpœna* did tend to the maintenance (he well hoped) of the Liberties and Priviledges of this House, he was sequestred the House, and the said Mr. *Puleston* likewise; and then after some further Speeches had, it was, (partly withal for the good opinion that many Members of this House did conceive of the said Mr. *Aylmer*, being oftentimes heretofore a Member of this House, and an honest and grave Gentleman,) resolved, that the said Cause with the circumstances thereof comprehended in the said Bill should be considered of by some Committees of this House, and so afterwards report to be made of the same accordingly: And that the said Mr. *Aylmer* should then give his attendance upon the said Committees, and presently withal be left to his own liberty, free from any Custody or restraint of the Serjeant of this House, and shall also be charged by Mr. Speaker in the name of this whole House to surcease his said Suit and proceeding against the said Mr. *Puleston* in the mean time. And thereupon Mr. Vice-chamberlain, Mr. Recorder of London, Sir William Moor, Sir Edward Hobby, Mr. Cromwell, Sir Edward Dymock, Mr. Wroth, Mr. Francis Bacon, Mr. Grymston, Mr. Conisby, Mr. Morgan, Mr. Morrice, Mr. Cook and Mr. Harris were nominated for that purpose, and appointed to meet upon Saturday next at two of the Clock in the Afternoon. And then the said Mr. *Aylmer* being brought in again to the Bar, Mr. Speaker signified unto him the said Order of this House in that behalf, discharging him from the Custody of the said Serjeant, and requiring him to give his attendance upon the said Committees at the said time and place accordingly, and also to forbear any further to proceed in the mean time against the said Mr. *Puleston*. Whereunto he willingly assented.

Two Bills of no great moment had each of them one reading; of which the second being the Bill to avoid the abuses grown in forestalling, regrating and ingrossing, was read the second time; and after many Speeches and Arguments had upon the same, was committed unto Sir Valentine Dale Master of the Requests, Mr. Recorder of London, Sir Edward Dymock and others, who were appointed to meet upon Monday next in the Afternoon at two of the Clock in the Star-Chamber.

The Committees in the Bill touching Clergy in some Cases of offenders (whose names see on Monday the 10th day of this instant February foregoing appointed to meet that Afternoon) is deferred until Tuesday next in the Afternoon at the former House and place.

On Thursday the 13th day of February, Three Bills of no great moment had each of them one reading; of which the last being the Bill to reform disorders of common Inns and other Victualling Houses, was read the second time, and after many Speeches and Arguments committed unto Sir Valentine Dale Master of the Requests, Mr. Francis Hastings, Mr. Cook and others, who

were appointed to meet on Wednesday next at two of the Clock in the Afternoon in Serjeants-Inn Hall in Chancery-lane.

The Bill touching Orford-Haven was read the second time, and after some Speeches committed unto Mr. Arthur Hopton, Mr. Anthony Wingfeild, Mr. Recorder, Mr. Grymston, Mr. Robinson and others, who were appointed to meet upon this day se'night at two of the Clock in the Afternoon in the Exchequer Chamber.

On Friday the 14th day of February, Four Bills of no great moment had each of them one reading; of which the second being a Bill touching Exactions upon the Subjects of this Realm by the Officers of the Exchequer was read the first time; which said Bill was brought into the House by Sir Edward Hobby, who alledged that the said Exactions did nothing tend to any further profit or commodity of her Majesty.

The meeting of the Committees in the Bill touching Informers (whose names see on Saturday the 8th day of this instant February foregoing) is again deferred (as it had been before on Tuesday the 11th day of the foresaid February last past) till to Morrow in the Afternoon.

Mr. John Hare maketh a Motion unto this House for consideration to be had for meeting with the disorders of Purveyors, and offereth a Bill unto this House for that purpose.

Two Bills also of no great moment had each of them one reading; of which the second being the Bill for abridging of Proclamations upon Fines to be levied, was upon the second reading committed unto Mr. Morice, Mr. Broughton, Sir Henry Knivet and others, who were appointed to meet at Serjeants-Inn Hall in Fleetstreet, upon Tuesday next at two of the Clock in the Afternoon.

The Bill touching Orford-Haven (committed yesterday) was this day delivered to Mr. Arthur Hopton one of the Committees in the same Bill.

On Saturday the 15th day of February, Sir Edward Hobby moved (he said) upon good cause, that Mr. Speaker do give admonition unto this whole House, that Speeches used in this House by the Members of the same be not any of them made or used as Table talk, or in any wise delivered in notes of writing to any person or persons whatsoever not being Members of this House, as of late (is thought) hath been done in this present Session: And thereupon by consent of this House admonition was given by Mr. Speaker in that behalf accordingly, shewing unto them that they are the Common Council of the Realm.

A Bill to reform disorders in Purveyors was read the first time. Mr. Treasurer, Mr. Cradock, Sir William Moor, Mr. Harris, Sir Henry Knivet, Mr. Tasborough, Mr. Palmer, Mr. Francis Bacon, Mr. Cromwell, Sir Edward Dymock, Mr. Vice-Chamberlain and Mr. George Moor did speak to the Bill; and afterwards it was Ordered upon the question, that the said Bill should be read again

again this present day for the second reading. Whereupon the same was then presently read again, and upon the question committed unto all the Privy Council being of this House, all those that have spoken to the Bill, Mr *Edward Dyer*, Mr *Robert Wroth*, Sir *Henry Grey*, Mr *Hare* and others, who were appointed to meet in this House upon *Monday* next at two of the Clock in the Afternoon: and the same time and place is also appointed for the Committees for Informers, and that the Serjeant of this House do in the mean time repair to the Clerk of the Higher House for the Bill that passed this House this last Parliament touching Purveyers, and was then sent up to the Lords or at least for a Copy of the same Bill, to the end the said Committees may consider of the same in the proceeding of this Bill as shall be thought convenient. And it is also resolved, that such Officers of her Majesties Honorable Household and Court of Green Cloth as shall please to be at the said Committee, may be heard and conferred with touching the purport of the said Bill at their good pleasures. *Vide. 27. Febr. postea.*

On *Monday* the 17th day of *February* the Bill touching the multiplicity of Suits and the excessive number of Attorneys, was upon the second reading committed unto the Knights for the Counties of *Norfolk* and *Suffolk*, Mr Recorder of *London*, Mr *Cromwell* and others, who were appointed to meet on *Wednesday* next at two of the Clock in the Afternoon in *Serjeants-Inn Hall* in *Chancery Lane*.

Sir *Edward Hobby* shewed with his great grief that since the last sitting of this House he hath been of some great personage (being no member of this House) very sharply rebuked for some his Speeches delivered in this House by him upon *Friday* last, in the setting forth the Bill for reformation of abuses in some Officers of the Court of Exchequer, and that the same his Speeches have been by some (he thinketh of this House) delivered unto the said great personage very untruly, as tending unto all the Officers of the same Court; and so shewing other the particulars as well of his own said former Speeches as of the said untrue report and sinister construction of the same somewhat at large, doth in the end refer himself therein to the testimony of this whole House: And with all praying the good consideration of this House towards him in this his honest and just excuse, as in like former cases hath been erst accustomed towards other Members of this House, and especially in regard of the maintenance and preservation of the ancient Liberties of the same, desired, that by some of this House the said great personage may be satisfied of the truth of the case, and also moved to shew the name of the reporter of the said untrue Speech; and to that end citeth unto them two like Precedents of this House, the one in the time of King *Edward* the 6th and the other of the Queens Majesty that now is. And sheweth further that he thinketh his said Speech by him

first delivered in this House was discovered since Mr Speaker his late admonition generally given to this whole House against the uttering of the secrets of this House either in Table-talk or Notes in Writing, and not before. And so concluding giveth due commendation to the said Bill, and prayeth another reading thereof presently, and also all good and speedy course both in the Commitment and other passages of the same. *Vide Febr. 27. postea.*

Mr Chancellor of the Exchequer sheweth first, that he offereth not to speak to any prejudice of the said motion, but putting the House in remembrance of their charge given unto him and others for Conference to be had touching some convenient supply of Treasure to be had and levied for the necessary defence of her Majesty and this Realm, now presently in danger of such mighty and great enemies, as erst of late hath been at large delivered unto this House by some Members of the same, declared unto them, that he and the greater part of the residue of the Committees therein, though divers of them did not give that attendance therein which so great and weighty a cause doth require, have met and had Conference together about the same four several times, and that at the last and fourth time of their said conference they resolved upon such an extraordinary proportion of provision as they thought the present extraordinary occasion of necessity doth require, and that they did set the same down in writing, which he also moved might be read unto them, to the end that if it might upon the reading thereof stand with their good liking to allow of it and give their assents unto it, Mr Speaker might then deliver it to her Majesties learned Council to have the same framed into the form of a Bill to be proceeded in and past in this House; and shewed further, that as the grant of this Contribution is greater than hath been heretofore for the most part ordinarily used to be granted (the present necessity so requiring it) so thinking good amongst them it should not hereafter be an occasion of a Precedent to posterity for the like (without like cause) divers of them were of opinion, that some meet words to such effect might be inserted in the Preamble of the Bill. And shewed further, that one of the Committees, to wit Mr *Francis Bacon*, had for that purpose set down a Note in Writing, which he said (if it pleased them) they might also hear read, and afterwards (if they so thought good) might also be delivered to her Majesties said learned Council likewise with the said other note; and that withal the said Mr *Bacon* might repair to her Majesties said learned Council for the further proceeding therein with them, if this House should so think good. Whereupon the House liking well of this motion, both the said Notes in writing were read by the Clerk and afterwards agreed by the whole House, that the same Notes should be forthwith delivered by Mr Speaker to her Majesties said learned Council according-

ly, and the said Mr Bacon also to repair unto them.

Sir Henry Knyvet entred into Speech of some recital of the said grief of the said Sir Edward Hobby, and well liking and allowing of due consideration to be had thereof by this House, reciteth very briefly the whole substance in effect both of the said first Speech of the said Sir Edward Hobby, and also of his said late Motion, and giving due commendation of the same his first Speech and also of his said protestation of excuse, urgeth the present reading and proceeding of the said Bill withal speed. Whereupon after sundry other Speeches tending likewise to the prosecution of the said Bill to Commitment, it was upon the question Ordered that the same Bill should be presently read accordingly.

The Bill *Quo titulo ingressus est* was read the second time, and after sundry Speeches and Motions deferred to further Argument to be had upon the same Bill again to Morrow.

The Bill touching Informers and Foretellers were delivered to Mr. Cromwell one of the Committees.

And also the report of the Committees in the cause between Mr. Puleston and Mr. Aylmer upon a Motion made by Mr. Nicholas Hare is likewise deferred until then, for lack of convenient time for the same now. *Vide* concerning this matter on Wednesday the 12th day of this instant February foregoing.

On Tuesday the 18th day of February, Four Bills of no great moment had each of them their first reading; of which the last was the Bill for the relief of Thomas Haselrigge Esquire.

Sir Edward Dymock, Mr. Clark and Mr. Peter Osburn arguing to the Bill of *Quo titulo* (read the second time in the latter part of the day foregoing) do each of them hold Sir Edward Hobby free and thereby excused of any such Speeches touching the higher Officers of the Exchequer, as he had been charged with and rebuked for. And the whole residue of their Arguments shew no misliking at all of his simile's or words used in the setting forth of the said Bill. Whereupon after sundry other Disputations of other Members of this House had upon the said Bill, it was at last upon the question committed unto Mr. Chancellor of the Exchequer, Sir John Parrot, Mr. George Moor, Mr. Sutton, Sir Edward Dymock and others, who were appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr. Serjeant Shuttleworth and Mr. Doctor Awberry do bring from the Lords a Bill Intituled An Act providing remedy against discontinuances in Writs of Error in the Exchequer and Kings Bench.

Mr. Speaker noting the great disorder in this House by some that standing up and offering to speak sometimes three or four together, and persisting still without offering to give place one of them to another, knowing well nevertheless which of themselves did first stand up, and so

by the Order of this House ought to be first heard, but yet expecting by Acclamation of the residue of the House growing for the most part to a great confused noise and sound of senseless words, do stand still continuing their offer to speak first, and do also many times in their Motions and Arguments utter very sharp and bitter Speeches, sometimes rather particularly offensive than necessarily with such great vehemency delivered, putteth them in remembrance, that every Member of this House is a Judge of this Court, being the highest Court of all other Courts, and the great Council also of this Realm, and so moveth them in regard thereof, that as in all other Courts, being each of them inferiour to this high Court, such confused courses either of contention, acclamations, or reciprocal bitter and sharp Speeches, terms or words are not any way either used or permitted amongst the Judges of the said Inferiour Courts, or the Councillors admitted in the same Courts, so they would hereafter forbear to attempt the like disorders, as the honour and gravity of this House justly requireth.

Upon a Motion made by Mr. Vice-Chamberlain, that the Committees in the Bill for Purveyors (appointed on Saturday the 15th day of this instant February foregoing) do meet again this Afternoon at three of the Clock; And also that the report to be made by him touching the dealing of the Committees in the cause between Mr. Puleston and Mr. Aylmer be deferred till to Morrow in the Afternoon.

On Wednesday the 19th day of February, Mr. Serjeant Walmesly one of the Committees in the Bill touching the abridging of Proclamations (appointed on Wednesday the 12th day of this instant February foregoing) upon Fines at the Common Law, sheweth, that they have met and conferred upon the said Bill, and having in some parts amended the same, offer another Bill containing the same Amendments.

Mr. Vice-Chamberlain one of the Committees in the Cause between Mr. Puleston and Mr. Aylmer, sheweth, that he and others of the Committees have had Conference together and heard both Parties, and the Council also of the said Mr. Aylmer at large, and so reciting amongst many of the circumstances delivered unto them touching the said matter, some of the causes moving the said Mr. Aylmer to cause the said Mr. Puleston to be served with a *Subpœna* to appear in the Star-Chamber, doth in the end shew, that he and the residue of the said Committees were of opinion, that the said Mr. Aylmer had committed a contempt unto this House in prejudice of the Liberties and Priviledges of the same House, which as for his part he wished should not escape unpunished in some sort, so giving very good commendations of the said Mr. Aylmer for his humble and dutiful behaviour before the said Committees in the whole course of his dealing with them in the said cause, and shewing withal that he had to his great charge attended now a long time upon the said Committees for their

their report to this House in the said matter, and had withal ignorantly and yet not without the privy and advice of some learned in the Laws proceeded to the causing of the serving of the said *Subpœna*, as he was informed, without offence to this House or Liberties of the same, he might (acknowledging his fault and upon his humble submission to be made to this House, and craving pardon for his said contempt) be set at liberty and discharged paying the Serjeants Fees of this House. And afterwards upon sundry other Speeches and Arguments (the whole House agreeing and resolving directly that the said Mr. *Aylmer* had committed the said contempt) and some also moving to inflict some other further punishment upon him (over and besides such his submission to be so made) that he might not only bear the Charges of the said Mr. *Puleston* sustained touching the said matter of contempt, but also surcease any further proceeding at all against the said Mr. *Puleston* by reason of serving the said *Subpœna*, but should (if he would) take out another *Subpœna* after this Session of Parliament ended against the said Mr. *Puleston* the next Term; and some others again being of a contrary opinion, moved, that the said Mr. *Aylmer* should neither pay the said Mr. *Puleston* his Charges, nor yet surcease his proceeding against him upon the said *Subpœna* already served, because the said Mr. *Puleston* had already voluntarily without the privy of this House, and also since the time of his grief and complaint unto this House exhibited, put in his Answer to the Bill in the said Court of Star-Chamber against him; and the said Answer also being offered forth unto this House and read by the Clerk, it appeared manifestly, that the said Mr. *Puleston* had voluntarily put in his said Answer to the said Bill, and so was at Issue, in that he pleaded to the said Bill Not guilty; It was upon the question resolved and Ordered by this House, that Mr. *Aylmer* should not only be at his liberty to proceed in his said Suit without offence to this House, but should also upon his humble submission to be made to this House be discharged of his said contempt paying his Fees to the Serjeant of this House.

And then it was thought good the said Mr. *Aylmer* might be called in and heard what he could say for himself in the matter; and (the said Mr. *Puleston* being sequestred) he was brought presently to the Bar, and charged by Mr. Speaker with the said contempt; who humbly shewed, that if it were a contempt, it was done by him simply and ignorantly and no way arrogantly, and without all peril of contempt to this House as his Council had informed him, and therefore humbly submitting himself craved their pardon; and thereupon being sequestred the House again, it was after sundry other Speeches upon another question resolved, that the said Mr. *Aylmer* should likewise upon his said humble submission be discharged of his said contempt, paying only the Serjeants Fees. Which done, the said Mr. *Aylmer*

was brought in again by the Serjeant, and Mr. Speaker pronouncing unto him the said Judgment of this House, both for his Licence to prosecute his said Suit in the Star-Chamber, and also for his liberty and discharge of the said contempt, the said Mr. *Aylmer* yielding unto this honourable House his most humble thanks, departed and went his way. *Vide* concerning this business upon *Wednesday* the 12th day, and on *Monday* the 17th day of this instant *February* foregoing.

Mr. Vice Chamberlain shewed, that he and others the Committees in the Bill concerning Purveyors have met, and also have had Conference together with some of her Majesties Officers of the Green-Cloth, and according to the Commission of this House. And further, that they have in some parts amended the said Bill, and also added a Proviso thereunto, such as they think fit both for her Majesties Service, and also for the better passage of the Bill and relief of the Subject. And prayeth the same Amendments and Proviso may be read. Which said Amendments and Proviso were thereupon twice read accordingly. Which done, there followed sundry Speeches upon the same Amendments and Proviso. And so for that time it was left at large without any further course or question to ingrossing or any thing else, the time being far spent and the House ready to rise.

The Bill touching *Quo titulo ingressus est* was delivered to Sir *Edward Hobby* one of the Committees in the same. The Bill concerning common Inns and Victualling-Houses was delivered to Mr. *Prat* one of the Committees in the same Bill. And the Bill touching multiplicity of Suits and the excessive number of Attorneys was delivered to Mr. *Heydon* one of the Committees in the same Bill.

On *Thursday* the 20th day of *February*, Three Bills of no great moment had each of them one reading; of which the last being the Bill for relief of *Thomas Haselrigg* Esquire, was upon the second reading committed unto Sir *Richard Knightley*, Sir *Henry Knyvet*, Mr. Recorder of *London* and others, who were appointed to meet upon *Monday* next at two of the Clock in the Afternoon in the Star-Chamber.

The Committee in the Bill touching Informers and Informations is deferred unto *Saturday* next at two of the Clock in the Afternoon at the former place of meeting.

Mr. Vice-Chamberlain one of the Committees in the Bill touching Informers and Informations upon penal Statutes sheweth, that he and such other of the Committees as were met together yesterday in the Afternoon, had conferred together upon the same Bill, and then had amended it in some parts thereof, as they upon good considerations in their own conceits thought convenient. And so offering the said Bill in such sort amended, delivered in the same to be further dealt in by this House as this House should think good. And withal moved further, for avoiding of confusion hereafter, and for a more orderly

and speedy proceeding of this House in the making of Laws, that they would from henceforth in their Commitments use to name a fewer number than they have hitherto in this Session of Parliament for the most part used to do. And that those so to be named should give better Attendance in the same Commitment than hitherto they have done this Session. And further, that at each meeting of the same Committees at the times and places appointed for the same, the names of all the said such Committees should then be first read, and if the more part of them, or at least the one half of them shall be present, then the more part or one half of them to proceed to Conference accordingly or else not. Which Motion was well liked of and allowed.

Sir John Parrot one of the Committees in the Bill of *Quo titulo ingressus est*, sheweth, that by reason of the great time spent yesterday in the Commitment of the Bill touching Informers and Informations upon penal Statutes, he and the residue of the said Committees in this Bill could not end their Conference in the same; And therefore moved another meeting again about the same this Afternoon; and that her Majesties learned Council might also be there with them. Whereupon for that it was then Answered by Mr. Vice-Chamberlain, that her Highness said learned Council could not be there this Afternoon, but were (he well knew) to be elsewhere employed all the same whole Afternoon; It was resolved that the said Committees should nevertheless then meet together, and proceed in the said Conference as much as they could in the mean time, until a further time might be afterwards taken for her Majesties said learned Council to be with them.

On Friday the 21th day of February, the Bill for the true payment of the Debts of Thomas Hanford, was upon the second reading committed unto Mr. Comptroller, Sir Henry Knyvet, Mr. Alford, Mr. Hare, Mr. Grafton and Mr. Francis Moor, who were appointed to meet to Morrow Morning at seven of the Clock in the Committee Chamber of this House; and then Mr. Hanford to attend the said Committees: and also the Bill that passed in the last Parliament from this House to the Lords, to be also delivered to the said Committees; both which Bills were then delivered to Mr. Comptroller.

Upon a Motion made by Mr. John Stubbs it is Ordered, that Thomas Drury may with his free liberty by the privilege of this House attend the Committees in the Bill for the relief of Thomas Haselrigg Esquire, exhibited into this House against him, and also to prosecute in the same cause without any molestation or arrest during the pleasure of this House. *Vide March 7. March 18, & Mar. 19. following. & Mar. 21.*

Upon a Motion made by Mr. Harris, that divers Members of this House having Writs of *nisi prius* brought against them to be tried at the Assizes in sundry places of this Realm to be holden

and kept in the Circuits of this present Vacation, and that Writs of *Superfedeas* might be awarded in those Cases in respect of the privilege of this House due and appertaining to the Members of the same; It is agreed, that those of this House which shall have occasion to require such benefit of privilege in that behalf, may repair unto Mr. Speaker to declare unto him the state of their Cases, and that he upon his discretion (if the Cases shall so require) may direct the Warrant of this House to the Lord Chancellor of England for the awarding of such Writs of *Superfedeas* accordingly.

Upon a Motion made by this House that Saintpole Esquire, one of the Knights in this present Parliament for the County of Lincoln, being also Sheriff of the said County of Lincoln at this present time, might have Licence by this House to depart into the Country about the attendance of his said Office of Sheriffwick; It was granted and agreed that he might so do accordingly.

Nota, That by this it appeareth to be a thing no ways strange or in it self incompetent for a Sheriff of any Shire to be a Member of the House of Commons, and there to perform the service of that House: And that the Licence given to such at any time to depart, is no other than is at any time vouchsafed of course to the Members of that House upon any urgent occasions by them alledged requiring their absence for some time, be it longer or shorter, of which also there is a remarkable Precedent in the Journal of the House of Commons *de Anno 27 Regine Eliz.* upon Friday the 4th of December, and another Precedent also in the same Parliament upon Tuesday the 23th day of February *de anno isto predicto 27 Regine Eliz.* yet was there a Precedent in this very Case otherwise adjudged by the House after much dispute upon Wednesday the 4th day of November in the Parliament *de anno 43, & 44 Regine Eliz. Anno Domini 1601.* Where Sir Andrew Nowell being Sheriff of the County of Rutland, was afterwards Elected one of the Knights for the same, and so compelled to return himself; which perhaps also may make the difference in the Case, and that where any man is first Elected a Member of the House of Commons and afterwards made Sheriff of some County, his first Election stands good. *Vide etiam Dec. 2. de anno isto 43.*

The Proviso to the Bill concerning Purveyors was twice read, and in the Bill these words [or within] were interlined in one place of the said Amendments in the said Bill, and inserted in the Bill by Order of this House, which were also twice read, and so the Bill and Proviso Ordered upon the question to be ingrossed.

The Amendments in the Bill touching Informers were twice read, and upon the question Ordered to be ingrossed.

Four Bills also of no great moment had each of them one reading; of which the last being the Bill for repealing of certain Statutes was read the second time, and upon the question committed unto Mr. Cromwell, Mr. Broughton, Mr. Edward Dyer,

Dyer, Mr Grafton and others, who were appointed to meet upon *Tuesday* next at *Serjeants-Inn* Hall in *Chancery Lane* at two of the Clock in the Afternoon.

The Committee in the Bill touching *Orford-Haven* (who were appointed on *Thursday* the 13th day of this instant *February* foregoing) is deferred till to morrow in the Afternoon at two of the Clock in the place formerly appointed.

The Commitment in the Bill against multiplicity of Suits and the excessive number of Attornies (who were appointed on *Monday* the 17th day of this instant *February* foregoing) is appointed to be dealt in at one of the Clock in the Afternoon of this present day.

The Commitment in the Bill touching the benefit of Clergy in some cases of offences (who were appointed on *Monday* the 10th day of this instant *February* foregoing) is appointed to be dealt in this present day at two of the Clock in the Afternoon in the Exchequer Chamber, and the Bill was delivered to Mr *Wroth*.

The Commitment in the Bill touching Common Inns and other Victualling-Houses is appointed to be dealt in (who were appointed upon *Thursday* the 13th day of this instant *February* foregoing) on *Wednesday* next at two of the Clock in the Afternoon, in the former place (being the 26th day of this instant *February* following,) and the Bill was delivered to Mr *George Barne*.

On *Saturday* the 22^d day of *February*, Two Bills of no great moment had each of them one reading; whereof the second being the Bill for the relief of *George Ognell* Esquire was upon the second reading, and upon the question committed unto Mr *Henry Brooke*, Mr *Serjeant Walmesley* the Knights for the Shire of the County of *Warwick* and others, who were appointed to meet upon *Monday* next at two of the Clock in the Afternoon in the Star-Chamber.

The Bill for the assurance of the Jointure of *Ann* the wife of *Henry Nevill* Esquire was read the second time, and upon the question Committed unto Sir *Edward Hobby*, Mr *Cook*, Mr *Cradock*, Mr *Francis Bacon* and others, who were appointed to meet upon *Monday* next at two of the Clock in the Afternoon in the Star-Chamber.

The Bill for relief of *Thomas Haselrigge* Esquire (committed on *Thursday* the 20 day of this instant *February* foregoing) was delivered this day to Sir *Edward Hobby* one of the Committees.

Three Bills which had this day passed the House upon the third reading, were sent up to the Lords by Mr *Vice-Chamberlain*, Sir *John Parrot* and others, with commendations and request for their Lordships favourable expedition; of which the two last were one touching Purveyors, and the other touching Proclamations in Fines.

Mr *Comptroller* one of the Committees in the Bill for the true payment of the debts of *Tho-*

mas Hanford reporteth their meeting together, and that *Hanford* himself was present with his Council, and also the Council of another Gentleman, and referreth the residue of the report to Mr *Grafton* one other of the same Committees, who likewise making a further report of the same, especially touching the allegations made to them by the said *Thomas Hanford* and his Council, and afterwards upon some further speeches the Bill then rested to be presently amended in some things before thought fit by the said Committees, but not as then yet set down in writing.

The Bill touching the free Grammer School of *Tunbridge* in the County of *Kent* was upon the second reading committed unto Mr *Cook*, Sir *Edward Dymock*, Sir *Edward Hobby*, Sir *George Cary* and others, who were appointed to meet upon *Tuesday* next in the Star-Chamber at two of the Clock in the Afternoon.

Two Bills also of no great moment had each of them one reading; whereof the second being the Bill touching *Mortmain*, was upon the second reading committed unto Mr *Treasurer*, Sir *John Parrot*, Sir *Edward Hobby*, Sir *William Moore* and others, who were appointed to meet on *Thursday* next at two of the Clock in the Afternoon in the Exchequer.

Mr *Serjeant Puckering* and Mr *Doctor Ford* did bring from the Lords three Bills; of which the two last were one for reviving of a Statute made in the 23^d year of her Majesties Reign for repairing of *Dover Haven*, and the other for repairing of the Pier of *Hartilpool*, with their Lordships like requital of commendation for the furtherance of this House in the said two Acts for *Dover Haven* and *Hartilpool*, as their Lordships erst this present day received from this House for their Lordships furtherance in expediting of the Bills concerning Purveyors and the abridging of Proclamations in Fines, &c. brought this day unto their Lordships from this House.

On *Monday* the 24th day of *February*, The Bill for four Fifteenths and Tenths and two entire Subsidies had its first reading.

Mr *Chancellor* of the Exchequer, one of the Committees in the Bill touching *Quo titulo ingressus est*, reporteth the meetings and Conferences of the Committees at sundry times, and that in the end they thought good for divers respects to alter some things in the said Bill, and so to make a new Bill, which he offered unto this House together with the old Bill, and praying the new Bill might be read, the same new Bill was thereupon read accordingly: which being then read, it was after some Speeches upon the same reading then further declared by the said Mr *Chancellor*, that Mr *Osburn* the Treasurer's Remembrancer in the said Court of Exchequer had been with them in the said Commitment, and not only satisfied the said Committees very truly, that he could not erst use any other course of dealing in the said Office than hitherto he hath done, as having no warrant to the contrary; so

did he also very willingly and honestly for his part give his assent and good liking to the passing of this Bill, and professed to be ready and well pleased to follow the rule of the same when it shall be established for a Law, which then may be good Warrant unto him in that behalf, like as he would have been contented so to have done before if he might safely and lawfully avowed the same. And so thereupon moved (for the better expediting of the said Bill) another reading presently, and that thereupon the said Bill may be Ordered to be ingrossed, which was so then read again, and upon the question Ordered to be ingrossed accordingly.

Mr. Cromwell one of the Committees in the Bill for *Orford-Haven* reporteth the meeting of the Committees and their travel in the same, and sheweth some Amendments made by them in the said Bill, and their reasons for the same; which Amendments were then thereupon twice read accordingly, and so the Bill upon the question Ordered to be ingrossed.

The Bill for the true payment of the Debts of *Thomas Hanford* delivered into this House on *Saturday* last by some of the Committees with these words stricken out *viz.* [with assent of the said *Thomas Hanford*] and this word [or] likewise stricken out and in stead thereof this word [and] put in; the said word [and] being twice read, the Bill was upon the question Ordered to be ingrossed.

The Bill for reviving and enlarging of a Statute made in the twenty third year of her Majesties Reign for repairing of *Dover-Haven*, was read the first time.

Upon a Motion made touching Conference to be had in the Commitment of the Bill for relief of *George Ognell* Esquire, and that *Trussell* the adverse party being now in Execution in one of the Counters of *London*, might be heard before the said Committees without peril of an escape if he should be brought to *Westminster*; It is agreed, that the Committees which were appointed to have met this day in the Afternoon about that matter in the Star-Chamber, do meet in the *Guild-Hall* where the said *Trussell* may be brought before them with his Keeper without danger (as it is thought) of an escape in the said Execution.

The Bill for the assurance of the Jointure of *Anne* the Wife of *Henry Nevil* Esquire (which was committed yesterday) was this day delivered to Mr. *Henry Savile* one of the said Committees.

The Bill for the relief of *George Ognell* Esquire (committed also yesterday) was this day delivered to Mr. *George Moor* one of the said Committees.

John Cocks one of the Burgesses for the Borough of *Bletchingly* in the County of *Surrey*, is for his especial affairs licensed to depart.

On *Tuesday* the 25th day of *February*, Three Bills had each of them one reading; of which the first Mr. *Cradock* offereth unto this House,

being for continuance and perfecting of divers Statutes, and praying the same might be read, the same was thereupon then read accordingly for the first reading.

Mr. *Francis Bacon* one of the Committees in the Bill for the assurance of the Jointure of *Anne* the Wife of *Henry Nevill* Esquire sheweth, that divers of the said Committees had met together in Conference about the said Bill, and for certain considerations by him then alledged had amended something in the said Bill, and also added something to the same. Which Amendments and Additions being opened to the House and twice read accordingly, the said Bill was afterwards upon the question Ordered to be ingrossed.

Mr. Recorder moved touching the want of one of the Barons of *New Rumney* in the County of *Kent* not returned into this House, but yet (he said) duly Elected as he was informed under the Seal of the Corporation of the said Town of *New Rumney*; And further shewing, that he thought the Precedent thereof might tend to the prejudice both to the Liberties and also to the service of this House, prayed consideration of this House therein. Whereupon after sundry other Speeches and Argument to the like effect by others, it was at last Ordered, that the state of the Case should be further examined by the former Committees of this House appointed for such Cases of Returns as should happen to fall out during this present Session of Parliament. Whose names then being read by the Clerk, they were appointed to meet at the Rolls this present day at two of the Clock in the Afternoon, and a note of the names of the said Committees was then delivered by the Clerk to Mr. *Cromwell* one of the said Committees.

Mr. *Damport* moved neither for making of any new Laws nor for abrogating of any old Laws, but for a due course of proceeding in Laws already established, but executed (he thinketh) by some Ecclesiastical Governour contrary both to the purport of the same Laws and also to the minds and meanings of the Law-Makers, to the great hurts and grievances of sundry her Majesties good Subjects; and so offereth some particularities in writing to the effect (he said) of his Motion, praying the same might be read, and committed to be further considered of and dealt in, as this House should think good.

Mr. Secretary *Wolley* putteth the House in remembrance of her Majesties express inhibition delivered to this House by the Mouth of the Lord Chancellor at the beginning of this Session of Parliament touching any dealing with Ecclesiastical Causes; And shewed for his own part, that he thinketh this House should incur contempt to her Highness, if contrary to that inhibition they should deal in the said matter last moved. Whereupon the said matter in writing was then received, but not then read at all, and was afterwards without any thing done more therein delivered back again by Mr. Speaker unto

to the said Mr. *Dumport* upon *Monday* the 17th day of *March* following in the Forenoon of the same day, before the said Mr. Speaker went to the Parliament House.

Mr. Serjeant *Shuttleworth* and Mr. Doctor *Clark* do bring word from the Lords, that their Lordships do desire that four or five of this House do confer with their Lordships touching a Bill for abridging of Proclamations to be had upon Fines to be levied at the Common Law, lately passed this House and sent up unto their Lordships from this House; It was Ordered, that Mr. Secretary *Wolley*, Mr. Recorder, Mr. *Cook*, Mr. Serjeant *Walmesley*, Mr. *Francis Bacon*, Mr. *Morrice*, and Mr. *Harris* should presently wait upon their Lordships therein, who so did thereupon accordingly.

The Bill concerning Proceſs and Pleadings in the Court of Exchequer, passed this day in this House, was sent up to the Lords by Sir *John Parrot* and others, with request to be made unto their Lordships from this House, for their Lordships good and favourable expediting of the Bill for reformation of certain abuses by Purveyors lately sent unto their Lordships by this House.

Mr. *Wroth* moved for better attendance to be continued and used by the Members of the House in the service of the same House, that none after the House is set do depart before the rising of the same House, unless he do first ask leave of Mr. Speaker, upon pain that every one hereafter doing the contrary do pay for every time six pence to the use of the Poor. And it was thereupon assented unto by the whole House accordingly.

Two Bills of no great moment had each of them one reading; of which the second being the Bill touching secret Outlawries was read the first time, and upon further Motion read again for the second reading, and committed unto Mr. Serjeant *Walmesley*, Sir *Henry Knyvet*, Mr. *Cradock*, Mr. *Cromwell*, Mr. *Cooke* and others, who were appointed to meet at two of the Clock in the Afternoon at Serjeants-Inn Hall in Fleetstreet.

The Bill touching Writs of Covenant, &c. was upon the second reading committed unto Mr. *Harris*, Mr. *Drem*, Mr. *Cooke*, Mr. *Morrice*, Mr. *Wroth* and others, who were appointed to meet at Serjeants-Inn Hall in Chancery-lane, upon Thursday next at two of the Clock in the Afternoon.

Mr. Solicitor and Mr. Doctor *Cary* do bring from the Lords the Bill for abridging of Proclamations to be had upon Fines to be levied at the Common Law lately passed this House with some Amendments, viz. in the eleventh line between the word [terms] and the word [next] to put in the word [holden] and to put out the words following, viz. [unless it be] &c. and all the words following unto these words [and that] in the fifteenth line; which being opened unto the House by Mr. Speaker, the said Amendments were accomplished and perfected with all

the due readings and passage of the same Bill so amended accordingly.

The Committees names in the Bill touching the free Grammar School of *Tunbridge* in the County of *Kent*, appointed on Saturday the 22th day of this instant *February* foregoing were read by the Clerk, and the Committees appointed to meet at the Rolls at two of the Clock in the Afternoon of this present day; and the Bill with a note of the said names was delivered then to Sir *Edward Dymock* one of the said Committees.

The Committees names in the Bill for repeal of certain Statutes (appointed on Friday the 21th day of this instant *February* foregoing) were read by the Clerk, and the Committees appointed to meet at the Rolls at two of the Clock in the Afternoon of this present day; and the Bill with a note of the said Committees names was then delivered to Mr. *Cromwell* one of the said Committees.

The Bill touching Mortmain, with a note of the names of the Committees in the same, was delivered to *Humfrey Waring* Servant to Mr. *Aldersey*, one of the Committees in the same Bill, to be by him delivered to the said Mr. *Aldersey*; but it appeareth not certainly in what place or upon what occasion the said Bill was delivered to the Servant of the above-named Mr. *Aldersey*; for although it be Entred in the Original Journal-Book of the House of Commons amongst such other matters as were debated in the House, yet it is most probable it was delivered unto him out of the House, either after or upon the very rising thereof.

On Wednesday the 26th day of *February*, the Bill concerning Captains and Souldiers was read the first time, and argued unto by Mr. *Outred*, Sir *Edward Dymock*, Mr. *Cromwell*, Sir *Henry Knyvet*, Mr. Treasurer, Mr. *North* and Mr. *Markham*; and afterwards Mr. *Cromwell*, Mr. *Outred*, Mr. Serjeant *Walmesley*, Mr. *North*, Mr. *Wroth*, Sir *William Moor*, Sir *Edward Dymock*, Sir *Henry Knyvet*, Mr. *Markham* and Sir *Ralph Bourchier*, were appointed to Article to the said Bill, and to meet this Afternoon at two of the Clock in the Exchequer Chamber; and the Bill was delivered to Mr. *Cromwell*.

Upon a Speech used by Mr. *Alford* purporting, that some that had spoken to the said Bill had uttered some words of rejecting the same Bill and casting it out of the House, where in very deed there was no such Speech used at all by any that had spoken to the said Bill, nor yet any word tending to such effect; It was upon the Question resolved by the Judgment of the whole House, that there had been no such Speech used at all by any of them that did speak.

Mr. *Francis Bacon* one of the Committees in the Bill concerning Foreſtallers, Regraters and Ingrossers, shewed the meeting and travail of the Committees in the said Bill, and that they had made a new Bill, and shewing the reasons moving them so to do sufficiently and at large, offered

fereth in the end the new Bill, and prayeth the good and speedy expediting of the same.

On *Thursday* the 27th day of *February*, the Bill for four Fifteenths and Tenths and two entire subsidies had its second reading.

M^r Serjeant *Puckering* and M^r Solicitor do bring word from the Lords, that their Lordships have this morning received a Message from her Majesty delivered unto them by two of the Lords of her Majesties most Honourable Privy Council, which Message their said Lordships of the Upper House do mind to impart unto this House, and pray that some convenient number of this House may to that end be appointed to meet with fourteen of their Lordships in the Room next to the Higher House of Parliament either this present Forenoon, or else to Morrow in the Forenoon at the choice of this House; and so requiring the answer of this House presently, they departed, and stayed without in the mean time. Where the said Message being opened by M^r Speaker, It was resolved upon the Question, that twenty eight or thirty of this House should attend upon their Lordships this present Forenoon accordingly. And then the said M^r Serjeant *Puckering* and M^r Solicitor being called in again, and receiving the answer of this House by the Mouth of M^r Speaker, all the Privy Council being of this House and now present, *viz.* four, Sir *Henry Cobham*, Sir *Henry Gray*, Sir *William Moore*, Sir *Edward Dyer*, Sir *George Bary*, Sir *Edward Hobby*, Sir *Edward Dymock*, Sir *Henry Knyvet*, Sir *Thomas Palmer*, Sir *George Moore*, M^r Serjeant *Walmesley*, M^r *Francis Hastings*, M^r *Alford*, M^r *Wroth*, Sir *Richard Knightly*, Sir *Robert Jermin*, M^r *Heydon*, M^r Recorder of London, M^r *Beaumont*, M^r *Cook*, M^r *Beale*, M^r *Cradock*, M^r *Markham* M^r Lieutenant of the Tower, M^r *Tho. Knivet*, M^r *Cromwell*, M^r *Richard Brown*, M^r *Conisby*, Sir *Philip Butler* and Mr. *Outred* were nominated and sent up to the Higher House to attend the said fourteen Committees of the Lords touching their imparting unto this House the said Message delivered unto them from her Majesty, and the paper Bill touching Purveyors was deliver'd to Mr. *Cromwell* one of the said Committees, and the Note of the Committees names to Mr. Vice-Chamberlain.

M^r Recorder one of the Committees in the Bill for Reformation of disorders of common Inns and other Viſtualling Houſes, ſhewed the meeting and travail of the Committees, and ſome Cauſes which moved them to deal only with that part thereof which concerneth Casks and the Gaging of Veſſels for Beer and Ale, and ſo offereth a new Bill for that purpoſe, with requeſt for good expediting thereof.

Mr. *Apfley* moved this Houſe touching the great inconveniences grown by the great number of Pluralities and Non-Reſidents, and offereth a Bill for Reformation thereof, praying the ſame might be preſently read, which was ſo done by the order of the Houſe accordingly.

The Council and the Reſidue returned from the Lords, and Mr. Treſurer reported that my

Lord Treſurer ſhewed them that the Meſſage from her Maſteſty delivered this day unto the Lords of the Upper Houſe, was concerning two Bills lately paſſed this Houſe and ſent to the Upper Houſe, the one concerning Purveyors and the other touching Proceſs and Pleadings in the Court of Exchequer, a thing miſliked of her Maſteſty in both thoſe Caſes, the one tending to the Officers and Miniſters of her own Houſehold, and the other to the Officers and Miniſters of her own Court of her own Revenues; in both of which if any ſhould demean themſelves any way unlawfully or untruely, her Maſteſty was of her ſelf (he ſaid) both able and willing to ſee due Reformation, and ſo would do to publick example of others upon any of the ſaid Officers or Miniſters which at any time ſhould be found to offend in any particularity either in her ſaid Houſehold or in her ſaid Court. Whereupon after ſundry Motions, Speeches and advices what might beſt be done for ſatisfying her Maſteſty of the doings of this Houſe concerning their dealings in both the ſaid Bills either by way of excuſe or confeſſion or otherwiſe howſoever; It was in the end reſolved to make choice of ſome Committee of this Houſe both to conſider further of the courſe, and alſo to ſearch ſuch Precedents as might beſt ſerve for that purpoſe; And then were named the ſaid former Committees, and Mr. *John Hare*, Mr. *Morrice*, Mr. *Clark*, Mr. *Liefield*, Sir *Francis Gudolphin* and Mr. *Augyer* were added unto them, and appointed to meet to Morrow in the Afternoon at two of the Clock in the Star-Chamber. *Vide* concerning this buſineſs on *Monday* the 17th day of this inſtant *February* foregoing, & *in principio hujus diei*; and touching the other matter, being the Bill of Purveyors, ſee upon *Saturday* the 15th day of this inſtant *February* laſt paſt, & *de utriſq; materiis vide diem Martis diem 4 Martii ſequentem*, & *diem Jovis diem 6. ejuſdem menſis*, & *diem Sabbathi diem 8. & diem Lunæ diem 17.*

On *Friday* the 28th day of *February*, Four Bills of no great moment had each of them one reading; of which the laſt being the Bill for maintenance of the Pier of *Hartilpool* was upon the ſecond reading committed unto M^r *George Cary*, M^r *Stubbs*, M^r *Beale*, the Burgeſſes of *Newcaſtle*, *Lin* and *Yarmouth* and others, who were appointed to meet to Morrow in the Afternoon in the Exchequer Chamber at two of the Clock; and the Bill was delivered to Sir *Edward Hobby* one of the ſaid Committees.

The Bill alſo touching Coſts to be recovered againſt common Informers had its firſt reading, and upon a further Motion was read again for the ſecond reading, and upon the queſtion Ordered to be Ingroſſed.

Upon ſome Motions had touching a Scruple conceived yeſterday by ſome few of this Houſe upon putting of the Bill of Subſidy to the queſtion of Ingroſſing, it was by divers and ſundry Members of this Houſe at this time delivered in their Speeches, that it was not any way meant by

by any Member of the House to have the said Bill then longer deferred from ingrossing upon that question in any other respect than only to the end that some such as then seemed to offer some Provisoers or Speeches to the said Bill, might first be further heard; and partly also that some other necessary Bills for the Common-Wealth might the better be treated of and expedited in the mean time before the said Bill of Subsidy (if it were so soon ingrossed) were prepared so ready to the passing, upon their conjectural opinions that when the Subsidy Bill were once passed the House, the end of this Session of Parliament was like to ensue shortly after. And then afterwards the said Bill was upon the question Ordered to be ingrossed accordingly.

On *Saturday* the first day of *March*, Two Bills of no great moment had each of them one reading; of which the second being the Bill concerning Pluralities and Non-Residents was read the second time; and after sundry Arguments, many with the Bill and some against it, was in the end committed unto Mr Treasurer, Mr *Morrice*, Mr *Beale*, Sir *Robert Jermin*, Mr *Francis Hastings* and others, who were appointed to meet in the Exchequer Chamber at two of the Clock in the Afternoon.

The Bill for *Tunbridge-School* with Amendments was brought in by Mr *Cooke* one of the Committees, and the reasons of the same Amendments were shewed by him.

Mr *Doctor Asberry* and Mr *Doctor Cary* do bring from the Lords two Bills, viz. An Act to avoid Horse-stealing, and an Act upon Writs of Proclamations and Exigents to be currant within the County Palatine of *Durham*; with further signification from their Lordships, that if this House have either Bills ready to send them, or else any Motions for Conference to be had with them, their Lordships are presently at good leisure for the same.

The Bill concerning the Pier of *Hartipool* is deferred to be considered of by the Committees upon *Monday* next in the Afternoon, and Mr Vice-Chamberlain and Sir *John Parrot* are added unto the former Committees.

The sitting of the Committee touching the Bill of Mortmain (appointed on *Saturday* the 22th day of this instant *February* foregoing) is likewise deferred till the same time.

John Luttwich Gentleman, one of the Burgesses for the Borough of *Bridge-North* in the County of *Salop*, *Christopher Wike* Gent, one of the Burgesses for the Borough of *New Sarum* in the County of *Wilts*, *John Bennet* Gentleman, one of the Burgesses for the Borough of *Westbury* in the said County of *Wilts*, and Mr *John Shirley*, one of the Burgesses for the Borough of *Lewes* in the County of *Sussex* are all of them Licensed about their necessary business and occasions to depart.

The Bill for *Tunbridge-School*, the Bill touching Writs of Covenant, &c. and the Bill for relief of *George Ognell* Esquire, were brought in

by the Committees with some Alterations and Amendments, whereof none at all were then read or expedited.

The Paper-Book of the Bill touching Process and Pleadings in the Court of Exchequer is delivered to the Serjeant of this House to be by him delivered over this present Afternoon to the Committees for search and Conference.

On *Monday* the third day of *March* upon many Speeches used by Mr *Grafton* touching a report to be made to this House by the Committees for Examination of the Return of one of the Barons of the Port of *New Runney* in the County of *Kent* not yet certified into this House from the Clerk of the Crown, Mr *Cromwell* one of the said Committees sheweth, that the same Committees had met about the same according to the Commission of this House; and so shewing his own opinion, it was after sundry other Speeches resolved in the end upon the Question, that he that was chosen by the said Town should be received into this House as a Member thereof accordingly.

Mr *Cromwell* one of the Committees appointed for Articling the Bill concerning Captains and Souldiers sheweth, that they have Articled the same Bill, and so delivered in both the Bill and the Articles.

Mr *Morris* one of the Committees in the Bill touching the benefit of the Clergy in some Cases of offences, sheweth, that the Committees have altered the old Bill and framed a new Bill, and yieldeth the reasons of the same their doings, and delivereth in both the old Bill and the new, and prayeth the new Bill may be read.

The Bill for the true payment of the Debts of *Thomas Hanford* was read the third time and passed upon the Question.

The Bill for the maintenance of *Orford-Haven* was read the third time, and after many Arguments both with the Bill and against it, is in the end passed upon the Question.

The Bill this day passed for the true payment of the Debts of *Thomas Hanford*, and the Bill also for abridging of Proclamations upon Fines were sent down before unto this House by the Lords with some Amendments, and being amended accordingly are sent to the Lords by Mr Treasurer and others; which Mr Treasurer moved before he went, that the Lords might be desired by this House, that Mr Solicitor being returned a Member of this House might come hither into this House and give his attendance in the same, which was assented unto, and required that he would move the Lords and the said Mr Solicitor also to that end accordingly.

Mr Serjeant *Puckering* and Mr Attorney General do bring word from the Lords touching the Motion made of this House in that behalf for Mr Solicitor his Attendance to be given in the service of this House being a Member of the same, That their Lordships having had consideration of the said Motion of this House in that behalf, are of opinion, that the said Mr Sollici-

tor is to continue his Attendance in the Upper House of Parliament and not in this House, for that he was called by her Majesties Writ to serve and attend in the said Upper House of Parliament long before he was Elected or Returned a Member into this; and also that the said Mr Solicitor by force of her Majesties said Writ had served in the said Upper House since the beginning of this said Session now already almost by the space of one whole Month.

On *Tuesday* the 4th day of *March*, the Amendments in the Bill touching Writs of Covenant, &c. and a Proviso added were both twice read, and upon the question Ordered to be ingrossed.

Mr *Grafion* one of the Committees in the Bill for repealing of certain Statutes delivered in the Bill with some Additions, and shewed the reasons, and also delivered in both the Bill and the Additions.

Two Bills did each of them pass upon the third reading; of which the first was against Common Informers, and the second for the assurance of the Jointure of *Anne* the Wife of *Henry Nevill* Esquire, in which there were several Amendments inserted. All which Amendments being thrice read, in the end after some Speeches had the Bill was passed upon the question; which said Bill with another were sent up to the Lords by Mr. Vice-Chamberlain and others.

The Master of the Wardrobe, one of the Committees touching Conference and search of Precedents for resolution to be had upon the Message of her Majesty delivered unto this House by a Committee of the Lords concerning the passing of the Bills against the abuses of Purveyors and Process and Pleadings in the Exchequer, sheweth, that they have met and travailed in the said Commitment, and so reciting some particularities of their proceedings doth refer the residue of the report thereof unto Mr. *Cook* one other of the said Committees, who likewise setting down at large the whole travail of their search and Conference, concludeth their resolution to be (if the House shall so think good) that in most humble and dutiful wise this House by their own Mouth Mr. Speaker do exhibit unto her Majesty the causes and reasons moving this House to proceed in the two said Bills in such sort as they had done; which course after sundry other Speeches was thought fittest by this House to be prosecuted, and best to stand with the Liberties and the honor of this House; and resolved further, that this their resolution might be imparted unto the Lords, that with their Lordships good favours this House meant so to do. And it was thereupon then also further thought good and prayed by this House, that Mr. Vice-Chamberlain being a Member of this House would be pleased at the humble Petition of this House unto her Majesty, to know her Majesties most gracious pleasure what number of this House her Majesty would vouchsafe to attend upon her Highness with Mr. Speaker, and at what time.

Which resolution of the House touching their said course in proceeding, in shewing unto her Majesty the causes and reasons of their dealings in the said Bills against the abuses of Purveyors and Process and Pleadings in the Exchequer in such sort as they have done, was committed unto Mr. Vice-Chamberlain and such others of the House as were sent up with the two last mentioned Bills to the Upper House, to signify their said resolution at the same time unto their Lordships.

After which (the Bill touching the gaging of Casks and other Vessels, &c. having been read the second time, and committed unto Mr. Treasurer, Mr. *Wroth*, Mr. *Alford* and others) Mr. Vice-Chamberlain and the rest returning from the Lords, he shewed, that according to the Commission of this House they had delivered the Message of this House unto those of the Committees of the Lords, from whom the Committees of this House had before received this Message from her Majesty; shewing them, that this House by their Lordships good favours had determined to become Suitors to her Majesty, to render unto her Highness the causes and reasons of their Proceedings in the said two Bills by the Mouth of Mr. Speaker. And that thereupon (he said) they were then to hear, but not to Answer. And that afterwards this House should hear further from their Lordships. *Vide* concerning these matters on *Saturday* the 15th day, on *Monday* the 17th day, and on *Thursday* the 27th day of *February* foregoing; as also on *Thursday* the 6th day, *Saturday* the 8th day, *Monday* the 17th day of this instant *March*.

On *Wednesday* the 5th day of *March*, the Bill concerning *Richard Southwell* had its first reading.

Mr. Treasurer one of the Committees in the Bill against Pluralities and Non-Residents (appointed on *Saturday* the first day of this instant *March* foregoing) shewed the meeting and proceeding of the said Committees, brought in the old Bill and also a new Bill, shewing the reasons of making the same new Bill; and doth in the names of all the said Committees pray a present reading of the same new Bill. Whereupon the same was then read accordingly for the first reading. Which done, upon a Motion by sundry of this House for a second reading presently, Mr. Treasurer shewed unto the House, that all the residue of the said Committees likewise willed him in the name of them all to move this House for a second reading of the same Bill. Whereupon the said Bill was read the second time and Ordered to be ingrossed.

The Bill for the maintenance of the Pier of *Dover* was read the second time, and after sundry Speeches committed unto all the Privy Council being of this House, Mr. *Mills*, Mr. *Alford*, Sir *Edward Hobby* and others, who were appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

The Bill against Forestallors, Regrators and Ingrossers

Ingrossers was read the first time, and upon further Motion read again for the second reading, and upon the division of the House after the question, it was upon another question after the same division with the yielding of the negative Voices Ordered to be committed unto all the Privy Council being of this House, Mr. *John Hare*, Mr. *George Moor*, Sir *William Moor*, Mr. *Grimston*, Mr. *Cromwell* and others, who were appointed to meet on *Friday* next in the Exchequer Chamber at two of the Clock in the Afternoon.

Sir *Thomas Throckmorton* Knight, one of the Knights returned into this present Parliament for the County of *Gloucester*, having lain sick here in *London*, is licensed to repair into the Country to his own House for recovery of his health.

On *Thursday* the 6th day of *March*, Three Bills of no great moment had each of them one reading; of which the second being the Bill touching Cordwayners, and the third concerning Curriers were both of them upon the second reading committed unto Mr. *Alford*, Sir *William Moor*, Mr. *Grafton*, Mr. *Thomas Knyvet* and others, who were appointed to meet upon *Saturday* next at two of the Clock in the Afternoon in the *Guildhall*.

Mr. Treasurer one of the Committees in the Bill touching Mortmain bringeth in the Bill with Amendments, and in the name of himself and the residue of the Committees prayeth the present two readings of the same Amendments, and thereupon the same Amendments were twice read accordingly.

Mr. Doctor *Amberry* and Mr. Doctor *Cary* do bring word from the Lords, that their Lordships desire that the Committee of this House which was with their Lordships the last day, might now be sent to their Lordships, for that now their Lordships have charge from her Majesty to make them Answer. And thereupon the names of the Committees being read, they were then presently sent to the Lords, and the Bill for maintenance of the Haven of *Orford* was then also sent up to their Lordships by Mr. Vice-Chamberlain and the residue of the said Committees.

Whereupon Mr. Treasurer, one of the Committees in the Bill touching the gaging of Casks, &c. having shewed their meeting about the same yesterday, and moved for another time of Conference about the same, and that being appointed upon *Saturday* next being the 8th day of this present *March* in the *Guildhall* at two of the Clock in the Afternoon; It was Ordered, that the Brewers and such others as shall think good may then and there be heard before the said Committees what they can say.

After which Mr. Vice-Chamberlain with the residue of the Committees being returned from the Lords do shew, that her Majesties gracious pleasure is, that this House according to their Suits and Petitions have access to her Majesty at

the Court between two and three of the Clock in the Afternoon of this present day by their Speaker, accompanied only with ten more of this House besides himself, and two of the same ten to be of her Majesties Privy Council being Members of the same House. And thereupon were appointed for that purpose Mr. Vice-Chamberlain, Sir *John Parrot*, Sir *William Moor*, Sir *George Cary*, Sir *Henry Cobham*, Mr. *Morrice*, Mr. *Cook*, Mr. *Francis Hastings*, Sir *Richard Knightley*, Sir *Henry Grey*, with further Order of this House, that Mr. Speaker do in his Speech to her Majesty make most humble Petition and Suit to her Highness in the name of the whole House, that her Majesty would vouchsafe her most gracious favour to the allowanee of the said Bills touching the abuses of Purveyors and the Process and long Pleading in the Exchequer lately passed this House and sent up to the Lords; and that this House would willingly and most gladly have taken in the passing of the same Bills any such other course whatsoever, as they might have any way known to have stood with her Highness good liking and pleasure. *Vide* concerning these matters on *Saturday* the 15th day, on *Monday* the 17th day, and on *Thursday* the 27th day of *February* foregoing; as also on *Tuesday* the 4th day of this instant *March* last past, and on *Saturday* the 8th day, and on *Monday* the 17th day, *Tuesday* the 18th day, *Thursday* the 20th day.

On *Friday* the 7th day of *March*, Four Bills of no great moment had each of them one reading; of which the third being the Bill for relief of *Thomas Heselrigg* Esquire was read the first time. And thereupon it was Ordered upon a Motion, that Mr. *Thomas Drury* Gentleman should come into this House and be heard. Who thereupon was brought in and heard accordingly. *Vide* concerning this matter on *Friday* the 21th day of *February* foregoing, and on *Tuesday* the 18th day, and on *Wednesday* the 19th day of this instant *March* ensuing; as also on *Friday* the 21th of the same Month.

The Amendments in the Bill touching the Free Grammar School of *Tunbridge* in the County of *Kent* were twice read. And *Andrew Fisher* Gentleman after the reading of the said Amendments being brought into the House, did presently give his assent unto the said Bill. And then the Bill upon the Question was Ordered to be ingrossed.

Mr. Vice-Chamberlain after many and long Arguments made to the said Bill both with and also against the same, not only wisheth a deferring of further Argument therein at large until to Morrow, but also sheweth that Mr. Speaker and those others that were appointed by this House to have access unto her Majesty yesterday in the Afternoon, are to attend and wait upon her Highness this present day in the Afternoon at the Court after the Sermon, for that her Majesty having been abroad yesterday in the Air had taken a little cold, and therefore could not yesterday

day give them audience. Which done Mr *Morrice* offering to speak to the said Bill, is referred therein till to Morrow.

The Bill against Forestalling Regrating and Ingrossing (committed on *Wednesday* the 5th day of this instant *March* foregoing) is this day delivered unto Sir *George Barne* one of the Committees in the said Bill.

On *Saturday* the 8th day of *March* Mr. Speaker shewed unto this House, that he and those others of this House who were appointed to attend upon her Majesty had access unto her Highness yesterday in the Afternoon; And that they received from her Majesty most comfortable and gracious Speeches in far better sort and measure than he was any way able to repeat or open unto them, of her Highness great and inestimable loving care towards her loving Subjects, yea more than of her own self, or than any of them have of themselves. And as to the parts of the present humble Petition of this House unto her Highness in the grievances by the Purveyors and in the Court of Exchequer, It pleased her Majesty to tell them, that for the one, to wit the abuses of Purveyors, her Highness of her own Princely care towards her Subjects had given order unto the late Lord Steward to address his Letters unto all the Shires of this Realm for the due inquiry and Certificate of the misdemeanors of Purveyors in all places, for some courses thereupon to be had for convenient redress in the same: And that before any Order could well be taken for accomplishing that good intended effect, the *Spaniards* upon a suddain attempted the invasion of this Realm; by reason whereof (her Majesty said) the said purpose was not performed. And so shewing further, that her Majesty having as much skill, will and power to rule and govern her own Household as any Subject howsoever to rule and govern them without the help or aid of their Neighbours; so her Majesty minding very carefully of her own more great love and affection towards her dutiful and loving Subjects (whose most faithful and approved good love and fidelity towards her she more esteemeth than all the Treasures of the world besides) very shortly to cause a Collection to be made of all the Laws already in force touching Purveyors, and also all the constitutions of her Highnesses Household in that case, and thereupon by the advice of her Judges and her Learned Council to set down such a Form and Plot for the said Redresses yea and that before the end of this present Session, as shall be as good and better for the ease of the Subjects than that which this House had attempted without her Privy, and in which they would have bereaved her Majesty the Honour, Glory and Commendation of the same. And touching the Exchequer she said, it was her Chamber, and so more near unto her than the Household: And that in the tenth year of her Reign her Majesty had caused certain Orders and Constitutions to be set down for the due and fit course of such things

in the said Court as her Subjects seem to be grieved for. *Vide* concerning this matter on *Saturday* the 15th day, on *Monday* the 17th day, and on *Tuesday* the 27th day of *February* foregoing; as also on *Tuesday* the 4th day, and on *Thursday* the 6th day of this present *March*.

The Committees in the Bill for the Pier of *Dover* and *Hartilpool* (appointed to meet this day on *Friday* the 28th day of *February* foregoing) are deferred till *Monday* next in the Afternoon at two of the Clock in the former place.

Mr Serjeant *Shuttleworth* and Mr Doctor *Amberbury* do bring from the Lords two Bills; of which the first was an Act for the maintenance of Houses of Husbandry and Tillage, with commendation of the same Bills to the good consideration of this House to be dealt in by the House with all convenient speed that may be.

Mr *Morrice* and divers other Members of this House arguing to the Bill last read yesterday, it afterwards in the end passed upon the question.

Mr *Edward Cook* Esquire one of the Burgesses returned into this House for the Borough of *Alborow* in the County of *Suffolk* is for his necessary affairs licensed to depart.

On *Monday* the 10th day of *March*, Two Bills of no great moment had each of them one reading; of which the second being the Bill touching Writs of Covenant, &c. was read the third time, and a Proviso for the Lord *Powes* and Sir *Edward Herbert* and their Heirs, was thrice read, and after many Speeches both with the Bill and against the Bill, the said Bill was dashed upon the question.

The Bill against Pluralities and Non-Residents lately passed this House was sent up to the Lords by Mr Treasurer and others, who returning again from thence with the said Bill shewed, that their Lordships would be ready for them half an hour hence, and willed them then to come again. Upon which report it was thought good to attend their said Lordships leisure therein half an hour hence accordingly. And afterwards the said Bill was sent up by the said Mr Treasurer and others.

The Bill for the maintenance of the Pier of *Dover* with a Note of the Committees names are delivered to Mr *Wroth* one of the Committees in the same, who were appointed on *Friday* the 28th day of *February* foregoing.

The Bill for granting of four Fifteenths and Tenths and two entire Subsidies to her Majesty, being ordered upon the question to be read, was then read for the third reading, and passed upon the question accordingly.

On *Tuesday* the 11th day of *March* the Bill for relief of the City of *Lincoln* was upon the second reading committed unto Mr *John Stubbs*, the Burgesses of *Norwich*, the Burgesses of *York* and others, who were appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr Treasurer one of the Committees in the Bill

Bill for repairing of *Dover-Haven* (appointed on *Friday* the 28th day of *February* foregoing) shewed, that the said Committees have met and travailed in the said Bill, and do think good that concerning some things in the same there be a Conference prayed with the Lords; and thereupon it was assented, that the Bills last passed in this House should presently be sent up, and withal to make that request also unto their Lordships accordingly.

After which the Bill touching Pleadings in Actions of Trespass under the value of forty shillings, having had its last reading this Morning and passed the House, was with the Subsidy Bill sent up to the Lords by Mr. Treasurer and others, with Commission to pray Conference with the Lords touching the Amendments desired by this House to be made in the said Bill for *Dover-Haven*.

Three Bills of no great moment had each of them one reading; of which the last being the Bill concerning the bringing in of salted Fish and salted Herrings, was upon the second reading committed unto Mr. Treasurer, Mr. Comptroller, Sir John Parrot, Mr. Vice-Chamberlain, the Burgeses of *Orford*, *Aiborow*, *York*, *Normich*, *Lincoln*, *Lin* and *Barmick* and others, who were appointed to meet to Morrow at two of the Clock in the Exchequer Chamber.

Mr. Doctor *Amberry* and Mr. Doctor *Cary* do bring from the Lords the Bill lately passed this House for assurance to be made of the Jointure of *Anne* the Wife of *Henry Newill* Esquire with some Amendments, which their Lordships pray to be considered of by this House.

Mr. Treasurer and the residue returning from the Lords, he shewed, that they have had Conference with the Lords touching some parts of the said Bill for *Dover-Haven*, and reciting some particularities of the same shewed, that the Lords can like of such course of Amendment as by the said Committees of this House was moved unto them, if the House shall think good to set down and require those Amendments. And thereupon this form of amendment was assented unto by this House, viz. line 18. after the word [And] put out all that followeth unto these words [be it] in the 20th line put out all from the end of the 20th line unto this word [that] in the 30th line.

Sir *Edward Hobby*, Mr. *Markham*, Mr. *Buckley* and Mr. *Peter Evers* were added to the Committees in the Bill for the City of *Lincoln*; and the Bill with the names was delivered to Sir *Edward Dymock* one of the Committees.

On *Wednesday* the 12th day of *March*, Five Bills of no great moment had each of them one reading; of which the last being the Bill against Aliens and Strangers retailing of Foreign Wares, was upon the second reading committed unto Mr. Vice-Chamberlain, Mr. Comptroller, Sir *Robert Jermin*, Sir *William Moor* and others, who were appointed to meet upon *Friday* next at two of

the Clock in the Afternoon in the Exchequer Chamber.

Sir *John Parrot* one of the Committees for the Pier of *Hartilpool* brought in the Bill in the name of himself and the residue of the said Committees.

The Bill for the Pier of *Hartilpool* aforesaid was read the third time, and after many Arguments both with the Bill and likewise against the Bill, it was deferred to be further disputed and argued unto to Morrow.

On *Thursday* the 13th day of *March*, Three Bills of no great moment had each of them one reading; of which the last being the Bill touching *Richard Southwell* was upon the second reading committed unto Mr. Secretary *Wolley*, Mr. *John Stanhope*, Mr. *Haydon*, Mr. Recorder of *London* and others, who were appointed to meet in the Exchequer Chamber upon *Saturday* next at two of the Clock in the Afternoon.

The Bill concerning Leases made of Lands parcel of the Possessions of the Bishoprick of *Oxford*, was upon the second reading committed unto Mr. Treasurer, the Master of the Wardrobe, Mr. *Cromwell*, the Knights for the County of *Oxford*, Mr. *Oglethorp* and others, who were appointed to meet upon *Saturday* next in the Afternoon at two of the Clock in the Exchequer Chamber.

The Bill for repealing of certain Statutes with some Amendments was read, and afterwards referred to be further considered of by Mr. *Grafton*, Mr. *Harris* and Mr. *Cromwell*, and the Bill was then delivered to Mr. *Cromwell*.

The Amendments in the Bill for the maintenance of *Dover-Haven* being opened to the House, and the Bill read in such sort amended, was passed upon the question after a Proviso offered for the Cinque-Ports first refused upon another former question.

Mr. Doctor *Ford* and Mr. Doctor *Cary* do bring from the Lords the Bill lately passed this House and sent up to their Lordships for the better recovery of costs and damages against Informers, and passed since by their Lordships with a Proviso and some Amendments annexed to the same Bill.

After divers Arguments both with the Bill and against the Bill (but whether it were the Bill last before-mentioned to have been sent down from the Lords it appeareth not, although it seemeth to have been the same) and after a Proviso received upon the question and some Amendment also of one word in the Bill, viz. *Sunderland* to be put in the 14th line, and the word *Soulderland* to be put out of the Bill; And the said Bill with the Proviso and Amendment aforesaid being put to the question was dashed upon the question, and also upon the division of the House by the advantage of three persons, viz. with the Yea a hundred twenty six, and with the No a hundred twenty nine.

The Bill touching the bringing in of salted Fish

Fish and Herrings into this Realm was delivered to Mr. *Wroth* one of the Committees in the same.

On *Friday* the 14th day of *March*, Three Bills had each of them one reading; of which the second being the Bill for the Town of *Barwick* was read the second time, and thereupon committed unto Mr. *Cromwell*, Mr. *Grimston*, the Burgesses of *Barwick*, Mr. *Robert Bowes* and others, and the Bill was delivered to Mr. *Cromwell*, who with the rest was appointed to meet this Afternoon at two of the Clock in the Exchequer Chamber.

The Bill touching the Children of Aliens and Denizens was upon the second reading committed unto the Committees in the Bill for Retailers (appointed on *Thursday* the 12th day of this instant *March* foregoing) and for both to meet to Morrow in the Afternoon in the Exchequer Chamber.

Two Bills lastly had each of them one reading; of which the first being the Bill touching Mortmain was read the third time, and some Amendments then made being thrice read also, was after many Arguments both with the Bill and against the Bill, passed upon the question.

Mr. Serjeant *Shuttleworth* and Mr. *Powle* do bring from the Lords the Bill for the preservation of the Haven of *Orford* in the County of *Suffolk* lately passed this House, and since passed with their Lordships with a Proviso by them added in their passing of the same, which Proviso being thereupon presently thrice read, the same Proviso then passed also upon the question.

On *Saturday* the 15th day of *March*, Three Bills had each of them one reading; of which the third being the Bill to avoid Horse-stealing had its first reading.

The Amendments in the Bill for relief of the City of *Lincoln* being twice read, and the Bill also read in such sort amended, the Bill was upon the question committed to the former Committees, and unto Mr. Vice-Chamberlain, Sir *John Parrot*, Mr. *Alford*, the Master of the Wardrobe, Sir *Robert Jermin* and others, who were appointed to meet this present day at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr. Doctor *Clark* and Mr. Doctor *Stanhop* did bring from the Lords a Bill against the Erecting and maintenance of Cottages. The former Committees were appointed on *Mar. 11. Tuesday*.

The Bill and Committees names concerning Leases made of the Lands parcel of the possession of the Bishoprick of *Oxford*, was delivered to Mr. Treasurer one of the Committees; And so likewise the Bill and Committees names touching Aliens and Strangers retailing of Foreign Wares, and also touching the Children of Aliens and Denizens.

The Bill and Committees names concerning *Richard Southwell* Esquire was delivered unto Mr. *George Moor* one of the Committees in the same.

The Amendments in the Bill for relief of the Curriers being twice read, the Bill was Ordered upon the question to be ingrossed.

On *Monday* the 17th day of *March*, Four Bills of no great moment had each of them one reading; of which the last being the Bill for pursuit of Hue and Cry, was upon the second reading committed unto Mr. Vice-Chamberlain, Mr. *Shirley*, Mr. *Harris*, Mr. *Wroth*, Sir *William Moor*, Mr. *William Fleetwood* and others, who were appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

The Bill for Pleading at large in an *Ejectione firme* had its first and second reading, and an Amendment twice read, and upon the question Ordered to be ingrossed.

The Bill touching Forefallers, Regrators and Ingrossers was brought in by Mr. Treasurer one of the Committees without any thing done, and further report made; and so likewise the Bill for Denizens Children.

Mr. Speaker signified unto the House, that her Majesties gracious pleasure was, that it be signified unto them, that four of this House be specially chosen to have Conference with some of the Lords of her Highness most Honourable Privy Council and other Officers of her Household for convenient Orders and Constitutions to be made for

But what should here follow is by the great negligence of Mr. *Fulk Onslow* at this time Clerk of the House of Commons wholly omitted; yet it should seem that her Majesty did now by Mr. Speaker send word to the said House, that upon the above-mentioned Conference so had and passed according to her Majesties Prescription, the said House might proceed in the two Bills so often before agitated on *Saturday* the 15th day, on *Monday* the 17th, and on *Thursday* the 27th day of *February* foregoing, and on *Tuesday* the 4th day, *Thursday* the 6th day, *Saturday* the 8th day of this instant *March* preceding touching Purveyors and some exacted Fees in the Exchequer: which the rather may be gathered, because (it should seem) the House did presently upon this Message appoint the Committees in either Bill a time for their meeting to consider of them accordingly. And yet this also is set down in the said Journal-Book very imperfectly in these words only following, viz. for the Purveyors this Afternoon, and for the Exchequer to Morrow in the Afternoon.

After many Speeches touching the present state of the Paper-Book of the Bill for relief of *Thomas Haselrigg* Esquire being altered in some parts differing from the ingrossed Bill in Parchment since the ingrossing of the same Bill; It is upon the question Ordered, that the said Paper-Book shall be by the Clerk of this House reformed again in all parts of the same agreeably to the said ingrossed Bill; And that thereupon the said ingrossed Bill should be then read accordingly, which was so thereupon read for the third reading.

ing. And upon the question in the 4th line these words [one well experimented in slights and deceipts as is supposed] were put out and these words were put in the 5th line after the word [further] and these words [or his Heirs] in the six and twentieth line after this word [*Haselrigg*] in the same line; which amendments being three times read, and the Bill passed upon the question, the same Bill was thereupon delivered to Sir *Edward Hobby* to be by him carried to Mr Treasurer and those others who were but lately before gone up to the Lords with five other Bills: To the end they might then also deliver that Bill likewise to the Lords with those others; of which one, being the principal, was for the assurance of certain Lands and Tenements to the maintenance of the free Grammar School of *Tunbridge* in the County of *Kent*.

Mr Serjeant *Puckering* and Mr Attorney General coming from the Lords, the said Mr. Serjeant brought a Bill from the Lords for Confirmation of a Subsidy granted by the Clergy, with an Instrument of the same under Seal, and a Bill touching Horses, Armour and weapons, with very special commendation of the same Bills as things of very great importance. And the said Mr. Attorney brought again from the Lords the Bill for the relief of *Thomas Haselrigg* Esquire, this present day passed in this House, and afterwards sent up to their Lordships, but (as he said) brought up but with four or five Members of this House in sort not erst accustomed; whereof as their Lordships did much marvel, so did they return the same Bill back unto this House again, not any way misliking of the Bill at all, but that it might by further consideration of this House be sent up again when this House should think good, with a greater number of the Members of this House after their accustomed manner whereby their Lordships might think the Bill had passed this House with good and full liking of the same: And said further, that their Lordships commanded him to desire Mr. Speaker to put this House in remembrance, for the speedy proceeding of this House in the Bills sent from their Lordships unto this House, and some of them specially recommended from their Lordships to this House, whereof the said Lords did name five, viz. one concerning Captains and Souldiers, another touching excess of Apparel, a third touching Houses of Husbandry and Tillage, a fourth against Horse-stealing, and the fifth against the erecting and maintenance of Cottages, as very necessary Laws for the Commonwealth: And that therefore their Lordships do esteems desire the said Bills may with all convenient speed be considered of and expedited, especially for that it is very like that this Parliament draweth near unto an end. Which being reported unto the House by Mr. Speaker, the said Bill for *Haselrigg* was presently sent to the Lords by the Master of the Wardrobe and a convenient number of others.

Two Bills lastly of no great moment had each

of them one reading; of which the second being the Bill to avoid Horse-stealing was read the second time.

On *Tuesday* the 18th day of *March* the Bill for Repeal of certain Statutes was brought in again without any report by Mr *Harris* one of the Committees.

Four Bills upon the third reading having passed this House were sent up to the Lords by Mr Treasurer and others; of which two of them were, one touching forcible Entries, and the other concerning pleading at large in an *Ejectione firme*.

Two Bills also had each of them their third reading; of which the second was the Bill for the relief of the Curriours; and after some amendments added unto it being likewise read three times, the Bill was upon the question and the division of the House dashed by the difference of thirty voices, viz. with the Yea ninety, and with the No one hundred and twenty.

Mr. Treasurer one of the Committees in the Bill against strangers Retaylers of foreign Wares (appointed on *Wednesday* the 12th day of this instant *March* foregoing) brought in the Bill again with some amendments, which were not then read.

After divers Motions it is ordered upon the question, That the Serjeant of this House do bring in *Thomas Drury* Gentleman into this House to Morrow at ten of the Clock in the Forenoon, to answer unto those things which he shall be charged with, as well on the behalf of this whole House, as of some particular Member of the same. *Vide* concerning this business on *Friday* the 21th day of *February* foregoing, and on *Friday* the 7th day of this instant *March* last past, as also upon *Wednesday* the 19th day of the same *March* ensuing.

Mr. Doctor *Clark* and Mr. Doctor *Cary* do bring from the Lords two Bills; of which the last was that Children of Aliens shall pay strangers Customes. And a little after the foresaid Doctors did bring word from the Lords, that their Lordships do desire Conference to Morrow at eight of the Clock in the morning with those of this House, which were committed in the Bill that lately passed in this House for the true payment of the Debts of *Thomas Hansford*; for that their Lordships having sent for the said *Hansford* to his House, and not finding him there, left peremptory Order for his repair to their Lordships at a day already past, and wherein he hath failed of his appearance before them; and shew further, that their Lordships have appointed six of themselves for that Conference, to wit, two Earls, two Barons and two Bishops; and thereupon Mr *Cromwell*, Mr *Markham*, Mr Recorder of *London*, Mr *Faunshaw*, Mr *Osborn*, and Mr *Francis Hastings* were added to the former Committees, and to attend upon the said Committees of the Lords to Morrow at eight of the Clock in the Forenoon according to the said appointment of their Lordships.

The Bill against Erecting and Maintenance of Cottages was upon the second reading committed unto Mr. Vice-Chamberlain, Sir *Henry Knyvet*, Mr. *Wroth* and others, and the Bill was delivered to Mr. Vice-Chamberlain, who with the rest was appointed to meet to Morrow in the Afternoon at two of the Clock in the Exchequer Chamber.

The Bill for relief of the City of *Lincoln* was brought in by Mr. Vice-Chamberlain one of the Committees in the same, who shewed, that they have met and conferred upon the same Bill, and have amended it in four parts thereof, and sheweth wherein, leaving the same to the further proceeding of this House in the expediting thereof.

Mr. Vice-Chamberlain shewed that he and divers others of the Committees of this House met yesterday in Conference about the matter touching abuses of Purveyors, and received all such Informations as were then delivered unto them, which (he said) were very many and foul and some of them offered to be proved true in such sort as the same had been reported unto them; and so moving this House to make choice of four of the Members of the same to be specially selected to attend upon the Lords in the said matter according to her Majesties said pleasure formerly signified unto them by Mr. Speaker, Sir *Henry Knyvet*, Mr. *Thomas Cromwell*, Mr. *John Hare* and Mr. *Robert Wroth* were thereupon nominated for that purpose and Ordered and assented that all the Members of this House might at their pleasure (in the mean time of the said Conference so to be had with the Lords) repair unto the said Sir *Henry Knyvet*, Mr. *Thomas Cromwell*, Mr. *John Hare* and Mr. *Robert Wroth* and to every or any one of them, with such instructions either in writing or by information otherwise as they shall think fit, for the better furnishing of the same Sir *Henry Knyvet*, Mr. *Cromwell*, Mr. *Hare* and Mr. *Wroth*, with matter against the time of the said conference to be had with the Lords.

Nota, That this House having formerly dealt in this matter, and in reforming some exactions of the Exchequer, had been forbidden by her Majesty to deal any further therein; and yet afterwards upon some new considerations had leave for their further proceeding in the said matter, as see before on *Saturday* the 15th day and on *Thursday* the 17th day and on *Monday* the 27th day of *February* foregoing, and on *Tuesday* the 4th day, *Thursday* the 6th day, *Saturday* the 8th day and on *Monday* the 17th day of this instant *March* last past.

Mr. Vice-Chamberlain one of the Committees in the Bill of Hue and Cry (appointed on *Saturday* the 15th day of this instant *March* foregoing) shewed, that in respect of other particular attendance committed unto him in her Majesties service elsewhere, he could not be at the said Commitment this Afternoon; and therefore prayed he may be excused and some other ap-

pointed in his stead. Whereupon presently Sir *John Parrot* and the Master of the Wardrobe were added to the former Committees; and the said Mr. Vice-Chamberlain withdrawn: And the Bill together with the names of the Committees was then delivered to the said Sir *John Parrot*.

On *Wednesday* the 19th day of *March* the Bill concerning Glasse-houses and Glasse-Furnaces was upon the second reading committed unto Sir *William Moore*, Mr. *George Moore*, Mr. *Markham* and others, and the Bill was delivered to Sir *William Moore*, who with the rest was appointed to meet in the Exchequer Chamber at two of the Clock this Afternoon.

The Bill for the Lady *Gressam* was upon the second reading committed unto Mr. *Cromwell*, Mr. *Grafton*, Mr. *Grimston*, Mr. Recorder of *London* and others, who were appointed to meet in the Exchequer Chamber to Morrow in the Afternoon at two of the Clock.

The Bill against discontinuances in Writs of Error in the Courts of Exchequer and the Kings Bench, was read the second time, and upon further Motion was read again for the third reading thereof, and so passed upon the question.

The Master of the Wardrobe one of the Committees in the Bill touching Leases of the Lands Parcel of the Possession of the Bishoprick of *Oxford*, brought in the same Bill, with report that the said Committees do think the same Bill not meet to be further dealt in by this House.

The Bill concerning Captains and Souldiers was read the second time, and after the doubtfulness of the voices upon two several questions for the commitment thereof, was upon the division of the House by the difference of thirty five Persons Ordered to be committed, (*viz.* with the Yea one hundred thirty one, and with the No ninety six) unto all the Privy Council being of this House, Sir *Henry Knyvet*, Mr. *Wroth*, Mr. Lieutenant of the Tower, Mr. *North* and others, who were appointed to meet upon *Friday* next in the Exchequer Chamber at two of the Clock in the Afternoon.

Sir *John Parrot* one of the Committees in the Bill touching Hue and Cry brought in the Bill again with report, that the Committees have met and conferred upon the same Bill, and finding good Laws in force already touching that matter are of opinion, that in respect also partly of the shortness of this Parliament likely to ensue, the said Bill may be reserved to be further considered of in another Session.

Thomas Drurie Gent. being brought to the Bar was charged by Mr. Speaker in the name of this whole House with great and deep offences committed by him against the whole State of this House in general, in having untruly reported and given out both to some of the Lords in the Upper House, and also to divers others Persons elsewhere, that he could have no justice in this House, nor could himself be heard, nor have

have his Witnelles in his Cause heard, neither in the House nor before the Committees, and also against divers Members of this House in particular, in offering unto some of them great threats, and to some others of them great sums of Money to speak in this House for him and not against him, and likewise in using of hard Speeches both to some of them and of some of them, to the great discredit, wrong and prejudice both of the whole State of this said House in general, and also of divers Members of the same in particular; for that in very deed he had been heard at large both in this House and also before the Committees: and for that likewise sundry of his misbehaviours towards divers Members of this House were directly proved in this House against him, to the full satisfaction of this House in the same. And so was required by Mr Speaker to answer therein for himself. Whereupon the said *Thomas Drurie* in very humble sort and good terms sought to excuse himself, not directly acknowledging any the said offences, but humbly craving pardon of this House, if he had committed any such. And then being sequestred the House till his said pretended Speeches of excuse and conditional form of craving pardon were considered of, it was by divers of the Members of this House, grieved and touched with his said misbehaviours, delivered in their Motions and Speeches, that as for their own particular they could be pleased upon his confession of his said offences and his due submission thereupon to remit the same, so in regard of the publick injury by him done to the whole House, they referred the further consideration thereof to the same House.

It should seem that these speeches and misdemeanours of *Thomas Drurie* Gentleman were occasioned by a certain Bill (which passed the House against him upon Monday the 17th day of this instant *March* foregoing) for the relief of *Thomas Haselrigg* Esquire; of which matter see on Friday the 21. day of February preceeding, and upon Friday the 7th day and on Tuesday the 18th day of this instant *March* last past, and upon Friday the 21. day of this said Month.

Which very Bill also having been this day read *secunda & tertia vice* in the Upper House, (and having had also its first reading before with the Lords) was by them concluded and sent down to the House of Commons, and now brought to them (whilest it should seem they were in agitation of these misdemeanours of the said *Thomas Drurie*) by Mr Doctor *Ford* and Mr Doctor *Stanhop*, with some amendments; but the sending down of the said Bill is omitted in the original Journal-Book of the said House.

On Thursday the 20th day of *March* two Bills had each of them one reading; of which the second being the Bill for continuance and perfecting of divers Statutes was upon the second reading committed unto Mr *Morrice*, Mr *Hare*, Mr *Wroth* and others; and the Bill was delivered

to Mr *Wroth*, who with the rest was appointed to meet in *Serjeants-Inn* Hall in *Fleetstreet* this present day at two of the Clock this Afternoon.

The amendments in the Bill for the relief of the City of *Lincoln* being twice read, the Bill was upon the question ordered to be ingrossed.

The amendments in the Bill for the relief of *George Ognell* Esquire were twice read, and after many arguments was deferred from the question of ingrossing, till my Lord of *Warwick's* Council be further heard; which was first apponited to have been done to Morrow at two of the Clock, but upon a further Motion of Mr *Sutton*, alledging my Lord of *Warwick* not to be in Town, is deferred till Monday next at 10. of the Clock.

Mr Doctor *Stanhop* and Mr *Powle* do bring word from the Lords, that touching the Bill lately passed this House against secret Outlawries, and sent up unto their Lordships, they have considered thereof with some advice of the Judges, and do pray that some six of this House do meet this Afternoon at two of the Clock in the Chamber of the Lord Chief Justice of the Common Pleas at *Serjeants-Inn* in *Fleetstreet*, that thereupon some such good course may be taken, as the same Bill may be made to become a Law. And thereupon were then nominated for that purpose Mr *Alford*, Mr *John Hare*, Mr *Harris*, Mr *White*, Mr *Shirley*, Mr *Grafton*, Mr *Cromwell*, and appointed to meet at two of the Clock this Afternoon at the said *Serjeants-Inn* in the Chamber there of the said Lord Chief Justice of the Common Pleas.

Mr Vice-Chamberlain one of the Committees in the Bill against the erecting and maintenance of Cottages shewed, that the Committees have met together and considered of the same Bill, and in their own opinions have thought good, that some things in the same Bill were very meet to be put out of the same, and some other things to be put in; And also a proviso fit to be added to the same, and shewed how and wherein. And moved further, that some of this House may be sent to the Lords to pray conference which their Lordships touching the said amendments and Proviso for the passage of the said Bill. Whereupon Mr Vice-Chamberlain and sundry other of the former Committees were presently sent to their Lordships to move for Conference, and the Bill lately expedited and passed in this House against discontinuances in Writs of Error in the Court of Exchequer and the Kings Bench was then sent up by them unto their Lordships. *Vide de ista materia in fine hujus diei.*

Four Bills of no great moment had each of them one reading; of which the last being the Bill against abuses in election of Scholars and Presentations to Benefices had its first reading, and then read also again for the second reading of the same, and was committed unto Mr Treasurer, Mr Vice-Chamberlain, Mr Secretary *Wolley*, the Master of the Wardrobe, Sir *Philip Butler*

and others, and the Bill was delivered to Mr Treasurer, who with the rest was appointed to meet at two of the Clock this Afternoon in the Exchequer Chamber.

Sir Edward Hobby, Mr Shirley, Mr Francis Moor and Mr Morrice for the Exchequer matter.

It should seem that these were appointed to consider of the Bill referred before upon Friday the 14th day of February, touching certain Exactions imposed upon the Subject by certain Officers of the Exchequer; which is the more plain, because Sir Edward Hobby, who then preferred it and obtained the first reading thereof, is here named in the first place now again to consider of it; which it seems was occasioned by the stopping of this Bill, and another touching Purveyors by reason of her Majesties dislike, and the entering of the House again upon the treating of them after her Highness had been fully satisfied with their clear and honest intentions therein. Concerning which matters see more on Saturday the 15th day, on Monday the 17th day, and on Thursday the 27th day of February foregoing; as also on Tuesday the 4th day, Thursday the 6th day, Saturday the 8th day, Monday the 17th day, and on Tuesday the 18th day of this instant March last past.

Mr Vice-Chamberlain and the residue returning from the Lords he shewed, that they have had Conference together with a Committee of the Lords, and that their Lordships after some long and effectual Arguments used by them for maintenance of all the parts of the said Bill in sort as the same Bill now is, without any great cause or necessity of such amendments as this House doth require in the same; Their Lordships yet nevertheless were pleased to gratifie the House in yielding to assent unto their request of the same amendments; wishing withal that this House in the same their amendments would have consideration of such Cottages as might happen to be erected for the burning of Lime or making of Brick, during the time only of such burning of Lime or making of Tyles and Bricks.

On Friday the 21th day of March, Four Bills of no great moment had each of them one reading; of which the third being the Bill for the repeal of certain Statutes was read the third time and passed upon the question.

Mr Vice-Chamberlain, Mr De-la-Bar, Mr Palmer and others are appointed to meet this day in the Afternoon in the Exchequer Chamber at two of the Clock for the Glass-Houses.

The Bill against excess in apparel was upon the second reading committed unto Mr Comptroller, Mr Lieutenant of the Tower, Mr Cromwell, Mr Jones, Mr Morrice and others, who were appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

The Amendments made by the Lords in the Bill for the relief of Thomas Haselrigg Esquire, and in the Bill for the better recovery of Costs and damages against common Informers, before

passed this House and sent up unto their Lordships, and the Proviso added by the Lords to the said last recited Bill, were three times read, and the same Proviso and Amendments were thereupon passed upon the question accordingly.

Mr Vice-Chamberlain one of the Committees in the Bill against the erecting and maintenance of Cottages shewed, that since their Conference with the Lords yesterday he and the residue of the same Committees have met together and agreed upon the setting down of such further Amendments in the said Bill as were liked of both by the Committees of the Lords and also by the Committees of this House: And thereupon the said Amendments and the Proviso also being twice read, the said Proviso was Ordered to be ingrossed.

Mr Treasurer one of the Committees in the Bill against Abuses in Elections of Scholars and Presentations to Benefices shewed, that the Committees have met together and considered of the said Bill, and have devised some Amendments to be made of the same; which Amendments being then opened to the House and read and liked well of, and also an Addition to the same Bill offered by Mr Wroth being likewise open and read to the House and liked well of, he moved that Conference might be prayed of the Lords touching the same Amendments and Addition for the better passing of the said Bill: Whereunto this House assented accordingly.

Mr Serjeant Puckering and Mr Doctor Ambery do bring from the Lords a Bill concerning the Almshouse of Lamborn in the County of Berks, with further Message from the Lords, That their Lordships desire that Mr Speaker would put this House in remembrance to have care of speedy expediting the Bills they have in hand, the rather for that this Parliament draweth near unto an end; and to shew them withal that her Majesty is very desirous that this Parliament should end before Easter if it might be without lett or hindrance to the passing of those good Laws that they are in hand with for the good of the Common-Wealth, and wisheth very earnestly it might end upon Wednesday next. And their Lordships do likewise desire that this House would have care of the good Laws passed with their Lordships and sent down to this House, and especially that concerning Horses, Armour and Weapons; which as they did recommend unto this House from themselves, so do they now in like sort recommend the same from her Majesty by her Highness special direction. And that their Lordships do further pray, that if this House have any Bills ready, they would send them unto their Lordships, who will deal in the same very willingly having now leisure.

Three Bills which passed this House this present day, two of which were, one for repeal of certain Statutes, and the other for the Naturalizing of Joice Lambert, were sent up to the Lords by Mr Treasurer and others, with Commission further to pray Conference with their Lordships touching

touching the said Amendments and Addition to the said Bill against Abuses of Elections of Scholars and Presentations to Benefices.

The Bill for relief of the City of *Lincoln* was read the third time, and after many Arguments both with the Bill and against the Bill, passed upon the question, with the difference of fifty three persons, upon the division of the House, viz. with the Bill a hundred and eighteen, and against the Bill sixty five persons. Which difference being reported to the House, the Bill was afterwards according to the antient Orders of this House in such Cases, carried out and brought in again by Mr Vice-Chamberlain with the Bill in his hand, followed and attended on by all the Members of this House then present, as well those that had first before given their Voices against the passing of the said Bill, as those that had given their Voices with the passing of the same.

Mr Treasurer and the residue returning from the Lords he shewed, that they had conferred with their Lordships touching the said Amendments and Addition to the said Bill against the Abuses in Election of Scholars and Presentations to Benefices; And that their Lordships do like very well of the same: And do further wish that this House in their said Amendments would have a further Consideration also for notice to be given in some Cases to the Patrons of Benefices which may happen to become void in some sort by reason of some part of the Law intended in the said Bill, and referred them therein further for the better Explanation thereof unto Mr. *Morrice* one other of the said Committees, unto whom then the said Bill was thereupon delivered to be provided for likewise in that point accordingly.

Upon a Motion made by Mr. *Francis Hastings* for the setting at liberty of *Thomas Drury* Gentleman, lately Committed by this House to the Serjeants Custody, the said *Thomas Drury* was presently brought to the Bar and discharged by Mr. Speaker in the name of the whole House, paying his Fees. Vide concerning this business upon *Friday* the 21th day of *February* preceeding, and upon *Friday* the 7th day, *Tuesday* the 18th day, and on *Wednesday* the 19th day of *March* last past.

Upon a Motion made by Mr. *Markham* on the behalf of Mr. *Aylmer*, that with the good favour and liking of this But what should here follow is wholly omitted by the negligence of Mr. *Fulk Onslow* Clerk of the House of Commons; although it should seem, that this Motion made by Mr. *Markham* was in the behalf of Mr. *Aylmer* against Mr. *Puleston* touching the invalidity of his Election for Knight of the County of *Denbigh* in *Wales*. Of all which matters see on *Wednesday* the 12th day, *Monday* the 17th day, and on *Wednesday* the 19th day of *February* foregoing.

On *Saturday* the 22th day of *March* Mr. *Palmer* one of the Committees in the Bill touching the gaging of Casks and other Foreign Vessels,

bringeth in the Bill with some Amendments and Provisoos. The same Amendments and Provisoos being twice read, the Bill was upon the question Ordered to be ingrossed.

Two Bills of no great moment had each of them their first reading; of which the first was, that Children of Aliens shall pay Strangers Customs.

Mr. *Cromwell* one of the Committees in the Bill for Continuation and perfecting of divers Statutes, bringeth in the Bill with some Additions, and shewing the same prayeth the reading thereof, which were afterwards twice read, and the said Bill and Additions upon the Question were Ordered to be ingrossed.

Mr. Treasurer one of the Committees in the Bill against Election of Scholars and Presentations to Benefices, bringeth in the Amendments in all parts reformed according to the Assent of this House therein Yesterday, referring the residue of the report thereof to be made unto this House by Mr. *Morrice*, who shewing all the parts of the same, the said Amendments and Proviso were twice read, and then the same Proviso being ready ingrossed in Parchment and Examined by the Paper-Book, was offered to the House for the more speedy expediting of the said Bill, which with the Amendments and Proviso afore-said were read, and the said Bill in such sort being put to the question, passed accordingly.

Four Bills were sent up to the Lords by Mr. Treasurer and others; of which the two first were, one for relief of the City of *Lincoln*, and the other against Abuses in Elections of Scholars and Presentations of Benefices with the Amendments and a Proviso.

The Bill concerning the Almshouse of *Lamborn* in the County of *Berks*, was upon the second reading committed unto Mr. Vice-Chamberlain, Mr. *Alford*, Mr. *Hill*, Mr. *Morrice*, Mr. *Grafson*, Mr. *Francis Moore* and others who were appointed to confer presently in the Committees Chamber.

Four Bills of no great moment had each of them one reading; of which the second being against the false packing of Hops was read the third time, with the words [Authority Royal] inserted in the Bill twice read, and these words also [this Act to continue to the end of the next Session of Parliament] thrice read, but this Bill was upon the question dashed.

Mr. Doctor *Carew* and Mr. *Poole* did bring from the Lords the Bill for the better assurance of certain Lands and Tenements to the maintenance of the free Grammar School of *Tunbridge* in the County of *Kent*, before passed this House and sent up to their Lordships, and now passed also by their Lordships with some Amendments therein offered by them to this House.

The Bill against the Erecting and maintenance of Cottages in former sort amended, together with the Proviso to the same Bill, being all the third time read passed upon the question accordingly.

On *Monday* the 24th day of *March* Mr *Anderson* was licensed to depart about her Majesties Service.

Two Bills had each of them one reading; of which the first being the Bill concerning *Glas-Houfes* was brought in by Mr *De-la-bar* one of the Committees, in sort as it was delivered unto them, and thereupon being twice read was after sundry Speeches and division of the House Ordered to be ingrossed, viz. with the Yea one thirty five, hundred and with the No forty three.

Mr Vice-Chamberlain one of the Committees in the Bill touching Captains and Souldiers shewed, that the Committees have met and conferred the Bill with the old Laws already in force, and finding many imperfections both in the old Laws and also in the new Law offered by the said Bill, shewed forth a Note collected of the same imperfections, and also of sundry sharp and dangerous Points in both the same Laws, and especially in the said later Law, which was thereupon then read accordingly.

Mr Comptroller one of the Committees in the Bill against excess of Apparel shewed likewise the meeting and travail of the Committees in the same Bill, with some amendments thought fit by them to be added to the said Bill, which amendments were also then read in the House and referred to be further considered of afterwards, and more fully and advisedly compared with those Laws which are already in force.

The Bill for continuation and perfecting of divers Statutes had its third reading, and after some Speeches and Motions for some Reformati- ons and Additions was passed upon the question without any such Reformation or Addition at all.

Five Bills were sent up to the Lords at two several times this day, the first four being of no great moment by Mr Treasurer and others, of which the last was the Bill for the continuance and perfecting of certain Statutes; and the fifth touching the Gaging of Casks and other Foreign Vessels was sent up by Mr Comptroller and others, which said Bill had passed the House this very Morning a little before it was sent up.

Mr *Tasborough* one of the Committees in the Bills concerning Jurors and Freeholders shewed, that the Committees have met and had conference together about the same Bill, and having used also therein the privity and advices of the Judges, and also of some of her Majesties Learned Council, have thought good to make a new Bill for that purpose, and so offered the same new Bill, and prayed the present reading of the same, which was thereupon then read accordingly. And afterwards upon a further Motion the same was read again for the second reading, and Ordered upon the question to be ingrossed.

Mr Doctor *Clark* and Mr Doctor *Amberry* do bring word from the Lords, that their Lordships do pray Conference with some of this House in the Bill concerning Captains and Souldiers, and in the Bill against Excess of Apparel, this

present day at two of the Clock this Afternoon in the Council Chamber at the Court. Which being signified unto this House by Mr. Speaker, It was Ordered thereupon that the former Committees in both the said Bills should attend their Lordships at the said time and place. And the names of the Committees in both the said Bills were read by the Clerk. And that Mr. *Morrice* one of the said Committees in the said Bill concerning Captains and Souldiers should shew unto their Lordships the great imperfections conceived by this House in the same Bill, and also the reasons (if their Lordships should require it, and else not) without any further Conference or reply unto any answer to be made by their Lordships unto the said Reasons of this House so as before to be rendred.

After which the aforesaid Doctors did bring from the Lords the Bill touching forcible Entries with amendments, which lately passed this House, and was sent up to their Lordships; and thereupon the same Bill was referred over to be further considered of touching the same amendments, unto Mr. *Morrice*, Mr. *Harries*, Mr. *Atkins*, and others; and the Bill was delivered to Mr. *Harries*, who with the rest was appointed to meet this Afternoon at four of the Clock in the *Middle-Temple* Hall.

Thomas Shuter and *Humfrey Wall* returned into this House Burgesies for the Borough of *Lemster* in the County of *Hereford*, are for their special and necessary businesses licensed to depart.

On *Tuesday* the 25th day of *March* it was Ordered upon the question, that both the Learned Council of the Lord of *Warwick*, and of *George Ognell* do attend this House to Morrow in the Morning, and that the Serjeant of this House do make the said Earl of *Warwick* privy unto the same.

Mr. Treasurer reported, that he and the residue appointed by this House to attend the Lords yesterday at Court touching the Bill of Captains and Souldiers, were there accordingly, and shewed unto their Lordships the opinion of this House touching the same Bill; and that their Lordships did make answer unto the same: But what their answers were, is wholly omitted through the negligence of the Clerk.

Mr. Doctor *Carie* and Mr. *Powle* do bring word from the Lords, that their Lordships do desire present Conference with some of this House in a Bill for continuation and perfecting of certain Statutes; and thereupon it was, upon relation thereof made to the House by Mr Speaker, ordered, that the former Committees in the same Bill and divers others now added unto them, be presently sent to their Lordships accordingly, and withal the Bill for confirmation of two Subsidies granted by the Clergy, and the Bill touching Jurors (both which passed the House this Morning) and the Bill touching the Free School of *Tunbridge* in *Kent* were sent up to their Lordships by Mr. Vice-Chamberlain and others,

others, with request of this House for special Commendation to be made to their Lordships for their favourable considerations of the said Bill touching the said Jurors.

The Bill for maintenance of Houses of Husbandry and Tillage was upon the second reading committed unto all the Privy-Council, Mr. *Cromwell*, Mr. *Wroth* and others, to meet this Afternoon at two of the Clock in the Exchequer Chamber.

The Bill that the Children of Aliens shall pay Strangers Customs was read the second time, and after many Speeches both ways it was committed to the former Committees to meet at the said former time and place, and both the same Bills were delivered to Mr. Vice-Chamberlain.

On *Wednesday* the 26th day of *March* the Bill concerning Denizens Children was read the second time; the Bill also against Strangers retailing of Foreign Wares was amended by the Committee (appointed on *Wednesday* the 12th day of this instant *March* foregoing) which said Amendments being brought in by them with the Bill were now twice read, although it be mistaken in the Original Journal-Book, that the Bill it self had its second reading.

Mr. Doctor *Cary* and Mr. *Powle* did bring from the Lords the Bill against privy and secret Outlawries, which had its first reading.

Sir *John Parrott* shewed that her Majesty told him, that she thought it requisite that provision were had for her Majesty as well as for her Subjects against the imbezelling and parloining of her Armour, Weapons and other Habiliments of War; and offereth a Bill to the House to that end, and prayeth a present reading of the same.

The Bill against imbezelling of Armour, Munition and other Habiliments of War was twice read and Ordered to be ingrossed, and read the third time and passed upon the question, and presently sent up to the Lords by Sir *John Parrot* and others.

The House was this day called, and the defaults noted (upon a former Motion this day made by Sir *John Parrot*) by her Majesties Pleasure, upon some intelligence given to her Highness of the small number of the Members of this House presently attending the service of the same, the one half at the least supposed to be absent.

Mr. Vice-Chamberlain and the residue of the Committees returning from the Lords, he shewed, that according to the Commission of this House they prayed Conference with their Lordships touching such parts in the Bill concerning Houses of Husbandry and Tillage, as this House had thought meet to be considered of; and that thereupon their Lordships asked them, if they then were ready for Conference. Whereunto he and the residue Answered, they were. And thereupon (the Committees of this House being sequestred) their Lordships did send unto them a Committee of themselves, unto whom he and

the residue of the Committees of this House did impart the opinion of this House touching the said Bill, together with such Amendments of the same as this House prayed their Lordships Assent and good-liking unto. And that thereupon the Committees of the Lords willing the Committees of this House to stay a while for Answer went in again to the Lords, and some of them shortly after returning brought from their Lordships this Answer, That we of this House were possessed of the said Bill and might do therewith as should seem good unto us; and that when it should come back again to them, their Lordships would then likewise do therewith as they should think good.

On *Thursday* the 27th day of *March* the Bill against secret Outlawries had its second and third reading, and passed upon the Question.

The Council learned both of the Earl of *Warwick* and also of *George Ognell* were brought into this House to the Bar and heard at large, and then sequestred again; and afterwards being called in again received their Answer of this House by the Mouth of Mr. Speaker. *Vide principium diei Martis diei 25 Martii instantis.*

The Bill against Forestalling, regrating and ingrossing had its first reading, and upon another Motion was read again, and upon the question Ordered to be ingrossed.

The Amendments and a Proviso in the Bill for maintenance of Houses of Husbandry and Tillage being thrice read, and the Bill read the third time, the said Bill, Amendments and Proviso passed upon the question.

Mr. Doctor *Cary* and Mr. Doctor *Stanhop* do bring from the Lords the Bill for the relief of the City of *Lincoln*, with some Amendments of their Lordships unto the same, with further Advertisement from the Lords, that their Lordships do suspend their proceeding in the Bill for continuance and perfecting of certain Statutes (lately sent from this House to their Lordships) until their Lordships do hear from this House of the Proceedings of this House in the Bill for maintenance of Houses of Husbandry and Tillage.

The Bill against privy and secret Outlawries, and the Bill with Amendments and Proviso lately passed in this House are sent up to the Lords by Mr. Vice-Chamberlain and others.

Nota, That both the sending down of the former Bill from the Lords and the sending up of this latter to their Lordships, are omitted in the Original Journal-Book of the Upper House; where it should seem there being no Bill read, the Clerk of that House, being then *Anthony Mason*, did very negligently omit the Entrance of any thing else besides the continuance of the Parliament to a further day.

The Bill to avoid Horse-stealing had its third reading, and passed upon the question.

On *Friday* the 28th day of *March* the Amendments of the Lords in the Bill touching forcible Entries, and also the Amendments of this House

House being all thrice read, are agreed by this House upon the question to be passed accordingly.

The Bill against Forestalling, Regrating and Ingrossing was upon the question and division of the House Ordered to be presently read for the third reading thereof, *viz.* with the Yea fifty six, and with the No thirty. A Proviso to the same Bill was offered to the House and twice read and ingrossed, and also once read for the ingrossing thereof, and so the Bill upon the question and division of the House was passed by the yielding of the negative Voices without going through with telling of the whole numbers on both sides, and was sent presently up to the Lords by Sir John Parrot; and a little after two other Bills, the one to avoid Horse-stealing, and the other touching forcible Entries, were likewise sent up to the Lords by Mr. Treasurer and others.

The Bill against such as steal and imbezel the Goods, Chattels or Treasure of her Majesty being put in trust with the same, was read the first time.

The Bill that Aliens Children shall pay Strangers Customs was read the third time, and a Proviso added unto it thrice read; the Bill and Proviso upon the question and division of the House dashed, with the Yea sixty four, and with the No seventy four.

Mr. Doctor Cary and Mr. Powle do bring from the Lords the Bill for relief of the City of *Lincoln*, with an Addition of this word [yearly] added to their former Amendments, for the explaining of the same Amendments. All which Amendments being thrice read, were upon the question assented unto by this House.

Nota, That this Bill was brought down from the Lords to the House yesterday, and therefore it should seem upon some doubts the House made touching their Lordships Amendments, it was carried back again, and those Amendments explained by the word above-mentioned, and so being brought down again this day, the said Amendments were thrice read and passed the House.

On *Saturday* the 29th day of *March* Mr. Doctor Stanhop and Mr. Powle do bring from the Lords the Bill lately passed this House for continuation and perfecting of certain Statutes, with a Schedule unto the same added and annexed by their Lordships, and the same Schedule being thrice read, passed upon the Question.

The Bill for the relief of the City of *Lincoln* being perfected according to the Amendments of the Lords, and the Bill also for continuance of Statutes with the Schedule to the same, were sent up to the Lords by the Master of the Wardrobe and others.

The Amendments of the Committees of this House to the Bill against excess of Apparel was denied upon the Question to be opened unto the House.

The Bill against such as steal or imbezel the Goods, Chattels or Treasure of her Majesty, was

brought in again by Mr. Harris one of the Committees in the same, as not to be sufficiently considered of for lack of time, the same Bill consisting of many parts.

Mr. Serjeant Puckering and Mr. Serjeant Shuttleworth did bring word from the Lords, that their Lordships do pray present Conference with some twenty or more of this House to meet with their Lordships in the nether room of the Upper House, and the rest not to depart until the return of the same Committees. Whereupon were appointed for that purpose all the Privy Council of this House, Sir William Hatton, Mr. Wroth, Mr. North, Mr. Lieutenant of the Tower, Mr. Wade, Mr. Mills, Mr. Juers, Mr. Henry Grey, Sir Edward Dymock, Mr. Robert Bowes, Mr. Harris, Mr. Heydon, Mr. Francis Moore, Sir George Barne, Mr. Robert Cecil, Mr. Shirley, Mr. Dyer, Mr. Hare, Mr. Ralph Bowes, Sir Francis Hinde, Mr. Preston, Mr. White, Mr. Hill, Mr. Henry Brooke and the Master of the Jewel-House.

Mr. Treasurer in the name of the rest of the Committees did bring word from the Lords, that their Lordships have had Conference amongst themselves of the great practices and Treasons heretofore intended against her Majesties Person, State and Kingdom; And therefore What should here follow is wholly omitted by the great negligence of Mr. Fulk Onslow at this time Clerk of the House of Commons; as also the Speeches of Mr. Vice-Chamberlain, of Mr. Secretary Wolley, of Sir John Parrot, Mr. Comptroller, and of Mr. Fortescue; for the inserting of which said Speeches there is left a blank of near upon two whole Pages; and yet it may be probably gathered what the scope and end of all the said several and respective Speeches were, out of a question following, which Mr. Speaker propounded at the end of them, *viz.* That seeing most of all those Treasons which had been practised against her Majesty, had been either Plotted in *Spain* or procured by *Spain*, and all the Rebelions during her Highness Reign, raised either in *England* or *Ireland* had been countenanced from thence; to which as the upshot of all, that his late intended, ambitious and blood-thirsty Conquest, yet fresh in memory, may be added; That therefore her Majesty would be pleased to denounce open War against him the said King of *Spain* as against a most dangerous Enemy of her Majesty and her Realms.

Upon the said Speeches Mr. Speaker maketh the question; and thereupon it was resolved by the whole House for joining with their Lordships in request to her Majesty, to be delivered by the Mouth of Mr. Speaker, for concurring with their Lordships for denouncing of War against the King of *Spain* at the time of his going up with the Subsidy, and after the offer and delivery of the same Subsidy.

Mr. Doctor Cary and Mr. Doctor Stanhop did bring from the Lords two Bills, *viz.* The Act of the Queens Majesties most gracious and free Pardon, and also the Act of four Fifteenths and Tenth,

Tenths, and two Subsidies which had before passed this House.

The Bill of the Queens Majesties most general and free Pardon being once read, passed thereupon. Which said Bill so passed was presently sent up to the Lords by Mr *Fortescue* and others.

Nota, That this is all which is found in the Original Journal-Book of the House of Commons, and therefore the Conclusion and Dissolution of this Parliament next ensuing are supplied out of that of the Upper House.

Her Majesty being (as it should seem) this very Forenoon come unto the Upper House and there set, the House of Commons having notice thereof, with Serjeant *Snagg* their Speaker, re-

paired thither, who after his delivery of the Bill of Subsidy did move her Majesty (as may be very probably conjectured) according to the former resolution had this day in the said House as aforesaid, that her Majesty would be pleased to denounce open War against the Spanish King, who had so lately threatned destruction to her Majesty and her Realms by that his not long since open and Hostile Invasion.

After which her Majesty having given her Royal Assent unto the passing of sixteen publick Acts and eight private Acts, being all the Statutes that passed this Parliament, Sir *Christopher Hatton* Knight Lord Chancellor, by her Majesties Commandment, Dissolved the same.

THE
JOURNAL
OF THE
House of LORDS.

An Exact and perfect Journal of the Passages of the House of Lords, in the Parliament holden at Westminster, Anno 35 Reginae Eliz. Anno Domini 1592. which began there on Monday the 19th Day of February, and then and there continued until the Dissolution thereof on Tuesday the 10th Day of April Anno Domini 1593.

THERE is little extraordinary in this Journal of the Upper House, save only the return of divers unusual Proxies, and a Speech used by her Majesty her self at the conclusion of the Parliament, which also is supplied out of a certain Journal of the House of Commons, very elaborately taken by an Anonymous. And Sir *Christopher Hatton* the late Lord Chancellor being dead since the last Parliament (whose death was occasioned from the grief he conceived at some harsh Speeches of her Majesty used unto him touching divers great sums due unto her from him) Sir *John Puckering* her Highness Serjeant, (who had been twice before Speaker or Prolocutor of the House of Commons) succeeded him in the full power and priviledges of his place, though not in his title, he having only the Stile of Lord Keeper of the Great Seal of *England*.

The Summons for this Parliament being Returnable, upon this *Monday* the 19th day of *February*, it held accordingly, the Queen coming privately by water, accompanied with Sir *John Puckering* Lord Keeper of the Great Seal, and many of the Lords Spiritual and Temporal. There being present this day these Peers and others ensuing.

Archiepiscopus Cantuarien.

Johannes Puckering Miles Dominus Custos

magni Sigilli.

Dominus *Burleigh* Dominus Thesaurarius *Angliae*.

Marchio *Wintonia*.

Comites.

Comes *Oxon*. Magnus Camerarius *Angliae*.

Comes *Darby* Magnus Seneschallus

Comes *Northumbriae*.

Comes *Salopiae*.

Comes *Cantiae*.

Comes *Wigorn*.

Comes *Cumberland*.

Comes *Suffex*.

Comes *Huntingdon*.

Comes *Batbon*.

Comes *Pembroke*.

Comes *Hartford*.

Comes *Effex*.

Comes *Lincoln*.

Vice-Comes *Bindon*.

Episcopi.

Episcopus *London*.

Episcopus *Dunelmen*.

Episcopus *Assaphen*.

Episcopus *Cestren*.

Episcopus *Covent' & Lich*.

Episcopus *Lincoln*.

Episcopus

Episcopus *Petriburgen.*
 Episcopus *Hertf.*
 Episcopus *Cicestren.*
 Episcopus *Bangor.*
 Episcopus *Wigorn.*
 Episcopus *Landaven.*
 Episcopus *Salopia.*
 Episcopus *Bathon & Wellen.*

Barones.

Dominus *Howard* mag. Marefc' & Adm. *Anglia.*
 Dominus *Hunsdon* Camerarius *Reginae.*
 Dominus *Strange.*
 Dominus *Morley.*
 Dominus *Stafford.*
 Dominus *Grey.*
 Dominus *Scroope.*
 Dominus *Montjoy.*
 Dominus *Sandes.*
 Dominus *Windsor.*
 Dominus *Cromwell.*
 Dominus *Wharton.*
 Dominus *Rich.*
 Dominus *Willoughby.*
 Dominus *Sheffield.*
 Dominus *North.*
 Dominus *Shandois.*
 Dominus *St. John.*
 Dominus *Buckhurst.*
 Dominus *De la Ware.*
 Dominus *Crompton.*
 Dominus *Norris.*

And the Queen and the Lords Spiritual and Temporal having on their Parliamentary Robes, and having seated themselves in their several places, The Knights Citizens and Burgeses of the House of Commons had notice thereof and repaired to the Upper House: Where contrary to the Ancient use and Custome they found the door shut upon them; which happened by reason that divers of the House and others having gotten in privately before and filled up the place at the Bar or Rayl at the lower end of the said House, Sir *John Puckering* Lord Keeper of the Great Seal by Commandment from her Majesty had already made some entrance into his Speech before the said Knights Citizens and Burgeses had any Notice of it, who fate in their own House expecting to be called up to the said Upper House upon her Majesties coming. But the door at length being opened by her Majesties Commandment about two of the Clock in the Afternoon, as many as conveniently could were let in: Where the Lord Keepers Speech was directly in these words following, or not much differing from them.

He shewed in the first place (as matter of Preface and Ornament not much material) somewhat touching the Antiquity, Nature and use of Parliaments. Then he came to set forth as the

principal matter (which her Majesty did desire to have made known and manifest to all her loving Subjects, the great Malice of the King of *Spain* which he had towards this Realm. And that he shewed by sundry instances as his last Invasion intended, his Forces then addrested out of the *Low Countries* for that purpose, to have been conducted by the Duke of *Parma*. And then he proceeded in the rest of his Oration *verbatim*, or much, to the intent and purpose following.

The high and mighty Ships that then he prepared and sent for that purpose, because he found them not fit for our Seas and such a purpose, he is building of Ships of a less Bulk after another Fashion; some like *French* Ships, some like the Shipping of *England*; and many hath he gotten out of the *Low Countries*. He is now, for the better invading of *England*, planting him in *Britanie*, a Country of more facility to offend us than the *Low Countries*; there he hath fortified himself in the most strong Holds of that Country.

In *Scotland* he hath of late wrought most of the Nobility to conspire against their King, to give Landing to his Forces there, and to assist him in his Invasion thither. A greater part of the Nobility in *Scotland* be combined in this Conspiracy, and they have received great Sums of Money for their service therein. And to assure the King of *Spain* of their assistance, they have Signed and sent their promises sealed to the King.

This Conspiracy the King of *Scots* was hardly brought to believe, but that her Majesty advertised him thereof, having entertained Intelligence thereof as she hath of all things done, and intended in those parts. And that the King might better advise thereupon, her Majesty hath sent one of her Noblemen now into *Scotland*, and the King hath assured her Majesty with all his Ability and endeavour to prevent the *Spaniard*, whose purpose is on the North parts to assault us by Land, and on the South side to invade us by Sea, which is the most dangerous practice that could be devised against us. And now the rage of this Enemy being such, his Forces joyned with other Princes his Adherents, greater the charge of her Majesty for defence of her Realm both with Forces by Sea and Armies by Land hath been such, as hath both spent the Contribution of her Subjects by Subsidies and what otherwise they have offered her, and also consumed her Treasure; yea caused her to sell part of her Highness's Crown. And it is not to be marvelled how all this is consumed but rather to be thought how her Majesty could be able to maintain and defend this her Realm against so many Realms conspired against us.

Wherefore we her Majesties Subjects must with all dutiful consideration think what is fit for us to do; and with all willingness yield part of our own; for the defence of others and assistance of her Majesty in such an insupportable Charge. Were the cause between Friend and Friend, how

much would we do for the relief one of another? But the Cause is now between our Sovereign and our selves: seeing there is so much difference in the Parties, how much more forward ought we to be? The Aid that formerly hath been granted unto her Majesty in these like Cases, is with such slackness performed, as that the third of that which hath been granted cometh not to her Majesty. A great shew, a rich grant and a long summe seemeth to be made, but it is hard to be gotten; and the summe not great which is paid. Her Majesty thinketh this to be, for that the wealthier sort of men turn this charge upon the weaker, and upon those of worst ability, for that one dischargeth himself, and the other is not able to satisfie what he is charged withal.

These things would be reformed by such as are Commissioners in this present service.

Her Majesty further hath willed me to signify unto you, that the calling of this Parliament now is not for the making of any more new Laws and Statutes, for there are already a sufficient number both of Ecclesiastical and Temporal; and so many there be, that rather than to burthen the Subject with more to their grievance, it were fitting an Abridgment were made of those there are already.

Wherefore it is her Majesties Pleasure, that the time be not spent therein: But the principal Cause of this Parliament is, that her Majesty might consult with her Subjects for the better withstanding of those intended Invasions which are now greater than were ever heretofore heard of. And whereas heretofore it hath been used that many have delighted themselves in long Orations, full of verbosity and of vain ostentations, more than in speaking things of substance; The time that is precious would not be thus spent. The Sessions cannot be long, by reason the Spring time 'tis fit that Gentlemen should repair to their Countries, the Justices of Assize also to go their Circuits; So the good hours should not be lost in idle Speeches, but the little time we have should be bestowed wholly on such businesses as are needful to be considered of. And so willed them to Elect a Speaker.

As soon as the Lord Keepers Speech was ended, the Clerk of the Parliament read the names of the Receivors and Triors of Petitions in French according to the ancient use and form, which were as followeth, *viz.*

Receivors of Petitions for *England, Ireland, Wales and Scotland*, Sir John Popham Lord Chief Justice of the Kings-Bench, John Clynch one of the Justices of the Kings-Bench, Francis Gawdy another of the Justices of the said Bench, Doctor Amberry and Doctor Ford. They which will deliver Petitions are to deliver the same within six days next ensuing.

Receivors of Petitions for *Gascoign* and other parts beyond the Seas and the Isles, Sir Edmond Anderson Lord Chief Justice of the Common-Pleas, Sir William Perrian Lord Chief Baron, and

Thomas Walmfley one of the Justices of the Common-Pleas, Doctor Cary and Doctor Stanhop. And they which will deliver Petitions, are to deliver the same within six days next ensuing.

Tryors of Petitions for *England, Ireland, Wales and Scotland*, the Archbishop of Canterbury, the Marquess of Winchester, the Earl of Darby Lord Steward of the Queens Household, the Earl of Suffex, the Earl of Pembroke, the Earl of Essex, the Bishop of London, the Bishop of Durham, the Lord Howard of Effingham Earl Marshal and Lord Admiral of England, the Lord Cobham, the Lord Grey of Wilton. All these or any four of them calling to them the Lord Keeper of the Great Seal of England, and the Treasurer, and the Queens Serjeants when need shall require, shall hold their places in the Chamberlains Chamber.

Tryors of Petitions for *Gascoign*, and other parts beyond the Seas and the Isles, the Earl of Oxford Great Chamberlain of England, the Earl of Shrewsbury, the Earl of Huntington, the Bishop of Rochester, the Bishop of Lincoln, the Lord Hunsdon Lord Chamberlain to the Queen, the Lord Lumley and the Lord Buckhurst. These or any four of them calling unto them the Queens Serjeants when need shall require, shall hold their places in the Treasurers Chamber.

Nota, That all that which is set down touching the coming up of those of the House of Commons into the Higher House, and the Lord Keepers Speech, being before placed after the names of such Lords Spiritual and Temporal as were this day present, is not found in the Original Journal-Book of the Upper House, but is here inserted partly out of the Original Journal-Book of the House of Commons, and partly out of another very exact Journal of that House which was in my Custody, being very diligently observed and set down by some *Anonymus*, who was a Member of the said House during this Parliament. And, I have always thought it most fitting in all these several Journals, ever to refer the aforesaid Speeches, the Presentments of the Speakers, and such other Passages as are wholly handled and agitated in the Upper House, to be set down as largely as by any good Authority they may, in the Journal of the same, to which they do most truly and properly belong, and only for Orders sake to give a short touch or remembrance of them in the Journal of the House of Commons.

Finally at the Conclusion of this days business, the Continuance of the Parliament is Entred in the Original Journal-Book of the Upper House in manner and form following, *viz.*

Dominus Custos magni Sigilli ex Mandato Domine Regine continuavit presens Parliamentum usq; in diem Jovis prox' futurum.

On Thursday the 22th day of February, to which day the Parliament had been last continued, the Queens Majesty her self came about three of the Clock in the Afternoon, accompanied by the Archbishop of Canterbury, Sir John Puckering

Puckering Knight Lord Keeper of the Great Seal, *William* Lord *Burleigh* Lord Treasurer of *England*, the Marquess of *Winchester* and divers others of the Lords Spiritual and Temporal, being for the most part the very same that are by name set down to have been present on *Monday* foregoing, the first day of this Parliament.

The Queen and the Lords being thus set, the House of Commons had notice thereof, who immediately thereupon came up with *Edward Cooke* Esquire the Queens Sollicitor, into the Upper House, whom they had Chosen for their Speaker or Prolocutor. Which said Speaker being led up to the Bar at the nether end of the said House, between two of the most Eminent Personages of the House of Commons, who, as soon as silence was made, and the rest of the said House, as many as could conveniently get in, had placed themselves in the space below the said Bar, spake as followeth.

Your Majesties most loving Subjects, the Knights Citizens and Burgeses of the House of Commons have nominated me, your Graces poor Servant and Subject, to be their Speaker. This their nomination hath hitherto proceeded, that they present me to speak before your Majesty; Yet this their nomination is only as yet a Nomination and no Election, until your Majesty giveth Allowance and Approbation. For as in the Heavens a Star is but *opacum Corpus* until it have received light from the Sun, so stand I *Corpus opacum*, a Mute Body, until your Highness bright shining Wisdom hath looked upon me and allowed me. How great a Charge this is, to be the Mouth of such a Body as your whole Commons represent, to utter what is spoken, *Grandia Regni*, My small Experience, being a poor Professor of the Law, can tell. But how unable I am to do this Office, my present Speech doth tell, that of a number in this House I am most unfit. For amongst them are many grave, many learned, many deep wise men, and those of ripe Judgments: But I am untimely Fruit, not yet ripe, but a Bud, scarcely blossomed: So as I fear me, your Majesty will say, *Neglecta frugi eliguntur folia*: Amongst so many fair Fruit ye have plucked a shaking Leaf. If I may be so bold as to remember a Speech (which I cannot forget) used the last Parliament in your Majesties own Mouth, Many come hither *ad consulendum qui nesciunt quid sit consulendum*, a just reprehension to many as to my self also, an untimely Fruit, my years and judgment ill befitting the gravity of this place. But howsoever I know my self the meanest, and inferiour unto all that ever were before me in this place, yet in faithfulness of service and dutifulness of love, I think not my self inferiour to any that ever were before me. And amidst my many imperfections, yet this is my comfort, I never knew any in this place, but if your Majesty gave them favour; God who called them to the place, gave them also the blessing to discharge it.

The Lord Keeper having received Instructions from the Queen, Answered him.

Mr Sollicitor, Her Graces most Excellent Majesty hath willed me to signify unto you, that she hath ever well conceived of you since she first heard of you, which will appear, when her Highness Elected you from others to serve her self. But by this your modest, wise and well composed Speech, you give her Majesty further occasion to conceive of you, above that which ever she thought was in you; by endeavouring to deject and abase your self and your desert, you have discovered and made known your worthiness and sufficiency to discharge the place you are called to. And whereas you account your self *Corpus opacum*, her Majesty by the Influence of her Vertue and Wisdom doth enlighten you, and not only alloweth and approveth you, but much thanketh the Lower House, and commendeth their discretion in making so good a Choice, and Electing so fit a Man. Wherefore now Mr. Speaker proceed in your Office, and go forward to your Commendation as you have begun.

The Lord Keepers Speech being ended, the Speaker began a new Speech.

Considering the great and wonderful Blessings, besides the long Peace we have enjoyed under your Graces most Happy and Victorious Reign, and remembring with what Wisdom and Justice your Grace hath Reigned over us, we have Cause daily to praise God that ever you were given us; and the hazard that your Majesty hath adventured, and the Charge that you have born for us and our safety, ought to make us ready to lay down our selves and all our living at your Feet to do you service, &c.

After this he related the great Attempts of her Majesties Enemies against us, especially the Pope. and the King of *Spain* who adhered unto him. How wonderfully we were delivered in Eighty eight, and what a favour God therein manifested unto her Majesty.

His Speech after this tended wholly to shew out of the History of *England*, and the old State, how the Kings of *England* ever since *Henry* the Thirds time have maintained themselves to be Supreme Head over all Causes within their own Dominions. And then reciting the Laws that every one made in his time, for maintaining their own Supremacy, and excluding the Pope, he drew down this proof by a Statute of every King since *Henry* the Third to *Edward* the Sixth.

This ended, he came to speak of Laws, that were so great and so many already, that they were fit to be termed *Elephantine Leges*. Therefore to make more Laws it might seem superfluous. And to him that might ask, *Quid causa ut crescant tot magna volumina Legis?* It may be

Answered, *In promptu causa est, crescit in orbe malum.*

The malice of our Arch-Enemy the Devil, though it were always great, yet never greater than now; and that *Dolus & Malum* being crept in so far amongst men, it was requisite that sharp Ordinances should be provided to prevent them, and all care to be used for her Majesties Prefer- vation.

Now am I to make unto your Majesty three Petitions in the name of the Commons; First, That liberty of Speech and freedom from Arrests, according to the Ancient Custom of Parliament, be granted to your Subjects; Secondly, That we may have access unto your Royal Person to present those things that shall be considered amongst us; Lastly, That your Majesty will give us your Royal Assent to the things that are agreed upon.

But this said last Petition seems to have been mistaken by that *Anonymus*, out of whom this said Speech is transcribed as aforesaid: for this Petition is proper and usual at the end of a Sessions upon a Prorogation, or of a Parliament upon a Dissolution, when the two Houses have passed divers Acts, which only want the Royal Assent to put life into them. And doubtless the third Petition which should have ensued here, was for freedom from Arrests for themselves and their necessary Attendants, which being wholly omitted, I have before caused to be inserted (though more briefly) in its proper place. And thus this mistake being cleared, the residue of the said Speakers Speech ensueth. And for my self I humbly beseech your Majesty, if any Speech shall fall from me, or behaviour found in me not decent and fit, that it may not be imputed blame upon the House, but laid upon me and pardoned in me.

To this Speech the Lord Keeper having received new Instructions from the Queen, made his Reply; in which he first commended the Speaker greatly for it; And then he added some Examples of History for the Kings Supremacy in *Henr. 2.* and Kings before the Conquest. As to the deliverance we received from our Enemies, and the Peace we enjoyed, the Queen would have the praise of all those attributed to God only.

And touching the Commendations given to her self, she said, Well might we have a wiser Prince, but never should they have one that more regarded them, and in Justice would carry an even stroke without exception of persons, and such a Prince she wisht they might always have.

To your three demands the Queen Answereth: Liberty of Speech is granted you; but how far this is to be thought on, there be two things of most necessity, and those two do most harm, which are Wit and Speech: The one exercised in Invention, and the other in uttering things invented. Priviledge of Speech is granted, but

you must know what priviledge you have, not to speak every one what he listeth, or what cometh in his brain to utter that; but your priviledge is I or No. Wherefore, Mr Speaker, her Majesties Pleasure is, that if you perceive any idle Heads which will not stick to hazard their own Estates, which will meddle with reforming the Church and transforming the Commonwealth, and do exhibite any Bills to such purpose, that you receive them not, until they be viewed and considered by those, who it is fitter should consider of such things, and can better judge of them.

To the persons all priviledge is granted, with this Caveat, That under colour of this priviledge, no mans ill doings, or not performing of Duties, be covered and protected.

To the last, free access is granted to her Majesties Person, so that it be upon urgent and weighty Causes, and at times convenient, and when her Majesty may be at leisure from other important Causes of the Realm.

Nota, That these several interlocutory Speeches of the Speaker and the Lord Keeper, are not found in the Original Journal-Books of the Upper House, or the House of Commons, but are supplied out of a very Elaborate Journal of the Passages of the said Commons House, taken by some *Anonymous* Member thereof this Parliament, and are here inserted; as was also the Lord Keepers Speech upon the first day of the same, upon the reasons there alledged: which see at large set down upon *Monday* the 19th day of this instant *February* foregoing in *fine diei*.

Although the usual Custom in the Original Journal-Book of the Upper House is to place all Proxies upon what days soever returnable, before the beginning of the Journal it self; yet I have conceived it much more methodical to place all such returns in those days upon which they were delivered to the Clerk of the Parliament, and always upon that day on which the first Return was, to make some short observation of that, if it be unusual and extraordinary, and so to refer the view of the residue to their proper days. On this instant *Thursday* therefore being the 22th day of *February*, and the second day on which the Upper House sat, was returned only this one unusual Proxy.

22^o *Die Febr. introductæ sunt Literæ procuratorie Johannis Episcopi Carliolen' in quibus Procuratores suos constituit Johannem Archiepiscopum Cantuarien. Johannem Episcopum London, & Matthæum Episcopum Dunelm'*.

Nota, That this is one of those Proxies which I call unusual and extraordinary, in respect that this Bishop of *Carlisle* did make or constitute three several Proctors, whereas usually a Spiritual Lord nominateth but two *conjunctim & divisim*, and a Temporal Lord but one, and that also of their own Order: whence it is plain that these Proxies may not unfitly be stiled unusual, whereby the Spiritual Lords do appoint Temporal

poral Lords for their Proctors, or but one Proctor a piece, or more than two, or when any Temporal Lord nominateth a Spiritual for his Proctor, or constituteth more Proctors than one. And therefore it is worth the observation, that at this very time, of nine Temporal Lords that sent their Proxies this Parliament by her Majesties Licence, but one of them nominated two Proctors. Which see upon *Monday* the first day of *March* ensuing, all the rest constituting but one. Yet the Proxies of the Spiritual Lords, being six in number, were all of them unusual and extraordinary; which I conceive is not easily to be patterned in any other Parliaments except the first, which was sent by *Edmond* Bishop of *Norwich*, in which he constituted only *John* Bishop of *London* and *Richard* Bishop of *Peterburgh* his Proctors, and returned on *Monday* the 19th day of this instant *February* foregoing, although it be there omitted as a thing usual and not worth the setting down at large. But the other four extraordinary Proxies sent by so many several Bishops see afterwards according to their several Returns upon *Saturday* the 24th day, and on *Tuesday* the 27th day of this instant *February* ensuing; as also on *Wednesday* the 7th day and on *Wednesday* the 28th day of *March* next following.

Where also it may be noted, that *John* Archbishop of *Canterbury* had this Parliament five Proxies, viz. From *John* Bishop of *Carlisle*, *John* Archbishop of *York*, *Thomas* Bishop of *Winchester*, *Matthew* Bishop of *Durham* and *Thomas* Bishop of *Chichester*, all which being extraordinary are at large set down in this present Journal in those several days upon which they were returned; so that from this and many other Precedents of former and later Parliaments it is most plain that by the ancient Usages and Customs of the Upper House, any Lord Spiritual or Temporal being a Member thereof, is capable of as many single or Joint Proxies as shall be sent unto him.

Dominus Custos magni Sigilli ex mandato Domine Regine continuavit presens Parliamentum usque in diem Sabbati prox' futur'.

On *Saturday* the 29th day of *February* the Bill for restraining and punishing Vagrant and seditious Persons, who under feigned pretences of Conscience and Religion, corrupt and seduce the Queens Subjects, was read *primâ vice*.

Eodem die retornatum est breve quo Richardus Wigorn' Episcopus presenti Parlamento interesse summonebatur, & idem Episcopus ad suum præheminentia sedendi in Parliament' locum admissus est, salvo cuiquam jure suo.

This day also was one extraordinary or unusual Proxy returned from a Spiritual Lord, who constituted but one Proctor; whereas usually no such Lord constituteth fewer than two: which said Proxy is thus entred in the Original Journal-Book of this Parliament in the beginning thereof in manner and form following, viz.

24. Febr. *Introductæ sunt Literæ procuratorie Johannis Eboracensis Archi-episcopi, in quibus Procuratorem suum constituit Johannem Archi-episcopum Catuarien'.*

On *Monday* the 26th day of *February*, retornatum est breve quo *Edwardus Dominus Cromwell* presenti Parlamento summonebatur interesse, & idem Dominus ad suum præheminentia sedendi in Parlamento locum admissus est salvo jure alicui.

The Writ was returned whereby *Gilbert* Earl of *Shrewsbury* was summoned, &c.

The several Writs were also returned whereby *George* Bishop of *Landaff*, *William* Lord *Crompton*, and *Edward* Earl of *Worcester* were summoned.

It seemed by the Journal-Book, that nothing else was done, but the Parliament continued according to the usual form which is entred in the Original Journal-Book of the Upper House in these words following, viz.

Dominus Custos magni Sigilli continuavit presens Parliamentum usque in diem Mercurii proxime futurum.

On *Tuesday* the 27th day of *February*, although the Upper House sat not, yet was there one unusual and extraordinary Proxy returned from a Spiritual Lord, who constituted but one Proctor; which said Proxy was privately delivered in unto the Clerk of the said House, and is entred by him in the Original Journal-Book of the same House in manner and form following, viz.

27. Februarii *Introductæ sunt Literæ procuratorie Thomæ Wintonien' Episcopi, in quibus Procuratorem suum constituit Johannem Archi-episcopum Cantuarien'.*

On *Wednesday* the 28th day of *February* (to which day the Parliament had been last continued) two several Writs were returned, whereby *John* Bishop of *Bath* and *Wells*, and *Matthew* Bishop of *Durham* were summoned to come to this present Parliament, who accordingly were admitted to their several places.

Two Bills also this Morning of no great moment had each of them one reading; of which the first was the Bill for the better Assurance and Confirmation of the Jointure of the Lady *Margaret* Countess of *Cumberland*, which was read *prima vice*.

On *Thursday* the first day of *March*, to which day the Parliament had been last continued, two Bills of no great moment had each of them one reading; of which the first being the Bill for the Assurance of certain Lands sold to *Lisle Cave* and others, was read *primâ vice*.

On *Saturday* the third day of *March*, to which day the Parliament had been continued on *Thursday* foregoing, Four Bills of no great moment had each of them one reading; of which the first being against Counterfeiting of Countessors and principal Officers hands, was read *primâ vice*.

On *Monday* the 5th day of *March*, to which day the Parliament had been last continued on

Saturday

Saturday foregoing, Three Bills of no great moment had each of them one reading; of which the second being against Counterfeiting of Countessors and principal Officers hands, was read *secundâ vice*, & *commissa ad ingrossand.*

5 Martii *introducæ sunt literæ procuratorie* Henrici Comitiss Huntingdon, in quibus Procuratores suos constituit Gulielmum Dominum Burleigh Thesaurarium Angliæ, & Robertum Comitem Essex, Vicecomitem Hereford & Dominum Ferrers de Chartly: *Quod nota.*

On Tuesday the 6th day of March, the Bill for the Assurance of Land sold to *Lisle Cave* was read *tertiâ vice.*

On Wednesday the 7th day of March, to which day the Parliament had been last continued, *Retornatum est breve quo Johannes Salisburien' Episcopus præsentî Parlamento interesse summonebatur, qui admissus est ad suum præbementiæ sedendi in Parlamento locum, salvo jure alieno.*

There was also brought up to the Lords from the House of Commons a Bill for the Naturalizing and making free of William Sidney Son of Sir Robert Sidney Knight, Governor of Flushing, and Dame Barbara his Wife, and of Peregrine Wingfield Son and Heir of Sir John Wingfield Knight, and Dame Susan Countess of Kent his Wife.

And this day also was one extraordinary or unusual Proxy returned from a spiritual Lord, who constituted but one Proctor, whereas usually no such Lord constituteth fewer than two; which said Proxy is thus Entred in the beginning of the Original Journal-Book of this Parliament.

7 Martii *introducæ sunt literæ procuratorie* Matthæi Dunelmensis Episcopi, in quibus Procuratorem suum constituit Johannem Cantuariensem Episcopum.

On Thursday the 8th day of March, to which day the Parliament had been last continued, three Bills of no great moment had each of them one reading; of which the first was the Bill for Explanation and Confirmation of the Queens Majesties Title to the Lands and Tenements, late Sir Francis Englefield's Knight, Attainted of High Treason. Not long after this Bill upon the second reading had been committed to ingrossing, according to a certain Order formerly made by the Lords, Francis Englefield Esquire appeared before them with one of the Learned Council, who were commanded to declare why an Act for Explanation and Confirmation of the Queens Majesties Title to the Lands and Tenements late Sir Francis Englefield's Knight, Attainted of High Treason, should not pass: And upon Allegations made by the said Learned Council, the Lords Commanded that they should set them down in writing, and deliver them to the Attorney General; and that on Friday they should attend on the Judges and the Queens Learned Council at *Serjants-Inn*, and shew such Deeds of Conveyance as they made mention of before the Lords: That the said Lords upon Answer of the

Judges and Learned Council might proceed in the said Bill as it should seem best to their Lordships.

On Saturday the 10th day of March, to which day the Parliament had been last continued, the Bill for Naturalizing and making free of William Sidney the eldest Son of Sir Robert Sidney K^t, &c. being read *primâ vice*, the Lords gave in Commandment to M^r Attorney General to bring on Monday certain Depositions remaining in the Exchequer concerning the Cause of Sir Francis Englefield, after they had first heard the Opinion of the Judges, which was delivered to the Lord Chief Justice of England.

On Monday the 12th day of March, to which day the Parliament had been last continued, two Bills of no great moment had each of them one reading; of which the second being the Bill for restraining of Popish Recusants to some certain places of abroad was read *tertiâ vice* & *conclusa.*

On Tuesday the 13th day of March, Two Bills of no great moment had each of them one reading; of which the first being the Bill concerning the Lands of Henry Lord Abergavenny deceased, was read *tertiâ vice* & *conclusa.*

The Lords at the Bishop of Worcesters Motion condescended to a Contribution for relief of such poor Souldiers as went begging in the Streets of London, viz. That every Earl should give forty shillings, every Bishop thirty shillings, and every Baron twenty shillings. And appointed the said Bishop and Lord Norris Collectors thereof, and committed the bestowing thereof to the Earl of Essex and the Lord Willoughby of Eresby.

On Thursday the 15th day of March, to which day the Parliament had been last continued, Four Bills of no great moment had each of them one reading; of which the first being the Bill touching the Lord Harowden was read *primâ vice.*

On Friday the 16th day of March, Two Bills of no great moment, of which the first being against persons Outlawed and such as will not pay their Debts and Duties, was read *tertiâ vice* & *conclusa.*

And then the Lord Keeper continued the Parliament in the usual form to Monday following.

On Monday the 19th day of March, the Bill touching the Lord Harowden was read *secundâ vice* & *commissa ad ingrossandum.*

On Tuesday the 20th day of March, the Bill touching Sir Francis Englefield's Lands had its third reading and was concluded.

Four Bills were also this Forenoon sent up to the Lords from the House of Commons; of which the second touching the sale of certain Mannors, Lands and Tenements from Valentine Knightley Esq; &c. was read *primâ vice.*

On Thursday the 22th day of March, Two Bills of no great moment had each of them one reading; of which the second concerning the Assurance of certain Lands and Tenements to Read Stafford Esquire and Mabel his Wife, and to the

the Heirs of the said Read was read *secunda vice*.

On *Saturday* the 24th day of *March* the Bill touching the Lord *Harowden* was upon the third reading concluded.

Four Bills were brought up to the Lords from the House of Commons; of which the second was concerning the lawful deprivation of *Edmond Bonner* late Bishop of *London*.

On *Monday* the 26th day of *March*, to which day the Parliament had been last continued, Three Bills of no great moment had each of them one reading; of which the first being the Bill for the grant of three entire Subsidies and six Fifteenths and Tenths granted by the Temporality was read *prima vice*; which said Bill had already passed the House of Commons and had been sent up from them to the Lords on *Saturday* last.

This Morning also two Bills of no great moment were sent up to the Lords from the House of Commons; of which the second was the Bill concerning the restraining of Popish Recusants to certain places of abroad, &c.

On *Tuesday* the 27th day of *March*, Three Bills of no great moment had each of them one reading; of which the first being for the Assurance of certain Lands and Tenements to *Read Stafford* and *Mibel* his Wife was read *tertia vice* & *expedit*.

On *Wednesday* the 28th day of *March*, Three Bills of no great moment had each of them one reading; of which the second being for the grant of three entire Subsidies and Fifteenths, &c. was read *secunda vice*.

Five Bills also were sent up to the Lords from the House of Commons; of which the first was for restitution in blood of *Sir Thomas Parrot K^t*, and was read *prima vice*.

This day finally was one unusual or extraordinary Proxy returned from one of the Bishops absent at this time from the Parliament (as divers other Peers) by the Licence of her Majesty; in which said Proxy he constituted but one Proctor, whereas the Ordinary Custom is for every Spiritual Lord to nominate two Proctors at the least, and every Temporal Lord but one. This Proxy is thus Entred in the beginning of the Original Journal-Book of the Upper House, viz.

28 Martii introductæ sunt Literæ Procuratoria Thomæ Ciceſtrenſis Episcopi, in quibus Procuratorem suum constituit Johannem Cantuariensem Episcopum.

On *Thursday* the 29th day of *March*, Three Bills of no great moment had each of them one reading; of which the first being the Bill for restitution in blood of *Sir Thomas Parrot K^t*, was read *secunda* & *tertia vice*, & *expedit*.

On *Friday* the 30th day of *March*, Five Bills had each of them one reading; of which the first was the Bill for the grant of three entire Subsidies, &c. granted by the Temporality; And the last was the Bill of Subsidy granted by the Clergy: Both which Bills at this time, upon

their severall third readings passed the House.

On *Saturday* the 31th day of *March*, Six Bills had each of them one reading; of which the last being the Bill prohibiting Strangers born to sell by way of retail Foreign Wares brought into this Realm, was read *secunda* & *tertia vice*, and rejected.

On *Monday* the second day of *April*, to which day the Parliament had been last continued, the Bill for Explanation of a Statute made in the thirty third year of *Henry* the Eighth, touching Grants made to his Majesty and Confirmation of Letters Patents, was read *secunda vice*.

Six Bills were brought up to the Lords from the House of Commons; of which the second was for bringing in of fresh Water into the Town of *Stonehouse* in the County of *Devon*.

On *Tuesday* the third day of *April*, Five Bills of no great moment had each of them one reading; of which the fourth being the Bill for the maintenance of the Navigation of *England*, was read *secunda vice*.

On *Wednesday* the 4th day of *April*, the Bill for Explanation of the Statute made in the thirty fourth year of *Henry* the Eighth, for confirmation of Letters Patents made by his Highness to others, was read *prima* & *secunda vice*.

On *Thursday* the 5th day of *April*, Three Bills of no great moment had each of them one reading; of which the second being the Bill for Confirmation of Letters Patents to the Mayors, Sheriffs, Citizens and Commonalty of the City of *Lincoln* was read *tertia vice* & *conclusa*.

This Morning also this Order following was agreed on amongst the Lords, viz.

Whereas the Lords of Parliament both Spiritual and Temporal assembled in the Parliament Chamber here at *Westminster* have with one uniform consent, both in their own names and the rest of the Lords now absent, Ordered, that there shall be a charitable relief and contribution made towards the Aid and help of a number of Souldiers that are seen in the time of this Parliament maimed and sore hurt in the Wars of *France* and *Low Countries* and on the Seas, for the service of the Queens Majesty and the Realm, and for that purpose have allowed that every Archbishop, Marquess, Earl and Viscount should pay toward their Contribution the sum of forty shillings, every Bishop thirty shillings, and every Baron twenty shillings; for Collection whereof there hath been appointed the Queens Majesties Almoner and the Bishop of *Worcester* to collect the sums of Bishops; and the Lord *Norris* to collect the sums payable by the Lords Temporal; which hath been diligently done and received by them from all the Lords Spiritual and Temporal that have been present, and that have attended to their great charge on the service of the Realm in this Parliament: And considering the number of the Souldiers to be relieved therewith,

with, being very many, notwithstanding the Knights, Citizens and Burgeses of the House of Commons have yielded very good and large Contributions according to their Degrees; Yet for the better relief of the said maimed Souldiers, It is by the Lords Spiritual and Temporal that have given their Attendance here, and have charitably and honourably yielded to this Contribution, thought meet, and so it is Ordered and Decreed by them with common and free consent, that all the Lords of Parliament that have been altogether absent in this Sessions, and that shall not have Contributed to this charitable use of relief before the end of this Sessions, shall be required by Letters to be sent to them by the Lords that had their Procuracion for their absence, or by Letters from the Lord Keeper of the Great Seal required and charged, to Cause payments to be made according to their Degrees and Vocations the double of the sums of money paid by the Lords that have been here present and continued their Attendance: That is to say, that every Earl that hath been absent, shall pay four pound, the Archbishop of York to pay as much. And every Bishop also absent to pay three pound, and every Baron forty shillings. And for such as have been here present and continued their Attendance at some times though very seldom, having been absent for the more part, it is thought meet, that every such Lord Spiritual and Temporal shall according to their Degrees pay a third part more than the Lords that have been constantly present. All which sums of money they shall cause to be delivered to the hands of the Lord Keeper of the Great Seal, to be afterwards by such Spiritual Lords of Parliament as are chosen for that purpose; distributed to the maimed Souldiers as shall be found to have most need thereof. The like whereof the Commons Assembled in this Parliament have Ordered. For all the Members of that House that are absent and have not paid, are to contribute in double manner. Which Order is thought very just, considering the Lords and others who have been absent and have been at no charge to come up and give their Attendance, may very reasonably and with a great saving to their Charges contribute to this Order. And if any Lord Spiritual or Temporal shall refuse or forbear thus to do, (which is hoped in Honour none will do) there shall be ordinary means used to levy the same.

On Friday the 6th day of April, to which day the Parliament had been last continued, four Bills of no great moment had each of them one reading; of which the second being the Bill for avoiding deceits used in sale of twice laid Cordage for the better preservation of the Navy of this Realm, was read *tertia vice & conclusa*.

Eight Bills were sent up to the Lords from the House of Commons; of which the last was the Bill to make void the Spiritual Livings of those that have forsaken the Realm and do cleave to the Pope and his Religion.

On Saturday the 7th day of April, Two Bills of no great moment had each of them one reading; of which the first being the Bill for rating of the Wages of Spinners and Weavers, and to reform the falsities of Régtrators of Woollen Yarn, was read *primâ vice*.

On Monday the 9th day of April, to which day the Parliament had been last continued, three Bills were each of them read *secundâ & tertiâ vice*, and so expedited; of which the second was the Bill for the bringing of fresh Water to the Town of Stonehouse in the County of Devon.

Eight Bills also this Morning were sent up to the Lords from the House of Commons; of which the first being the Bill for the Naturalizing of Justice Dormer and George Sheppy being born beyond the Seas, of English Parents, and to put them in the nature of meer English, was read *primâ & secundâ vice*.

But it doth not appear whether this Bill were committed or no, which did not only happen in this place by the negligence of Mr Anthony Mason at this time Clerk of the Upper House, but also through the whole Original Journal Book of the said House this Parliament; in all which although divers Bills are said to be read the second time, yet it is not at all expressed whether they were thereupon Ordered to be ingrossed, or further to be considered of by some select Committees of the House; one of which of necessity must be put in Execution upon the said second reading of a Bill, both in the Upper House and that of the House of Commons, unless the Bill have its third reading also at the same time and pass the House, or else be dashed upon the question, and so cast out of it.

This Morning finally, Whereas a Bill intituled An Act touching Power and Liberty to repeal certain uses of a Deed Tripartite herein mentioned of and in certain Lands, Mannors and Tenements of Anthony Cooke of Romford in the County of Essex Esquire, hath been heretofore three times read and assented unto by the Lords, in the which Bill there is no Saving to the Queens Majesty or any other person or persons, of their lawful Estates or Titles; This day there was a Saving drawn for her Majesty and all others, which was offered to this House; and some question and ambiguity did grow, whether the Saving should be now added to the Bill. And in the end it was resolved, that the Saving should be added to the Bill; for that it is usual and requisite to have some Saving in every Bill, and for that there was nothing in the Saving contrary to any matter in the Bill, and that her Majesties Right and all other be saved thereby. Nevertheless upon weighty considerations the Lords have Ordered, that this shall not hereafter be drawn to make any Precedent.

On Tuesday the 10th day of April in the Morning were two Bills read, of which the second being the Bill for the Queens most gracious and general free Pardon, was read *primâ vice*, and so passed upon the question.

Nota,

Nota, That the Bill or Act for the Queens general Pardon passeth each House upon the first reading; Whereas other Bills cannot be expedited without being read three times both by the Lords and the Commons.

The Queens Majesty came not till the Afternoon, and therefore in this place through the negligence of the Clerk, the continuing of the Parliament until some hour in the Afternoon is omitted, which should have been inserted in these words, *viz.*

Dominus Custos magni Sigilli continuavit præsens Parliamentum usque in horam, &c. à Meridie.

Between five and six of the Clock in the Afternoon this present *Tuesday*, being the tenth day of *April*, the Queens Majesty, accompanied with her Officers and daily Attendants, came to the Upper House, and as soon as her Majesty with the Lords Spiritual and Temporal, and the rest that have place there, were set, the Knights, Citizens and Burgeses of the House of Commons having notice thereof came up with their Speaker, bringing with them the Bill of Subsidy. The said Speaker being placed at the Bar at the lower end of the Upper House, and as many of the House of Commons as could conveniently being let in, after Humble Reverence done to her Majesty spake as followeth:

THE High Court of Parliament, most High and Mighty Prince, is the greatest and most ancient Court within this your Realm. For before the Conquest in the High places of the *West-Saxons*, we read of a Parliament holden; and since the Conquest they have been holden by all your Noble Predecessors Kings of *England*.

In the time of the *West-Saxons* a Parliament was holden by the Noble King *Ina*, by these words: I *Ina* King of the *West-Saxons* have caused all my Fatherhood, Aldermen and wisest Commons, with the Godly men of my Kingdom to consult of weighty matters, &c. Which words do plainly shew all the parts of this High Court still observed to this day. For by King *Ina* is your Majesties most Royal Person represented. The *Fatherhood* in Ancient time were these which we call Bishops, and still we call them Reverend Fathers, an Ancient and chief part of our State.

By *Aldermen* were meant your Noblemen. For so honourable was the word *Alderman* in Ancient time, that the Nobility only were called *Aldermen*.

By *Wiseest Commons* is meant and signified Knights and Burgeses, and so is your Majesties Writ *de discretioribus & magis sufficientibus*.

By *Godliest men* is meant your Convocation-House. It consisteth of such as are devoted to Religion. And as Godliest men do consult of weightiest matters, so is your Highness Writ at this day *pro quibusdam arduis & urgentibus negotiis nos, Statum & defensionem Regni nostri & Ecclesiæ tangentibus*.

Your Highness Wisdom and exceeding Judgment withal careful Providence needed not your Councils: But yet so urgent Causes there were of this Parliament, so important Considerations, as that we may say (for that we cannot judge) never Parliament was so needful as now, nor any so Honourable as this.

If I may be bold to say it, I must presume to say that which hath been often said, (but what is well said cannot be too often spoken) this sweet Council of ours I would compare to that sweet Commonwealth of the little Bees.

Sic enim parvis componere magna solebam.

The little Bees have but one Governour whom they all serve, he is their King, *quia latera habet latiora*; he is placed in the midst of their habitations *ut in tutissima turri*. They forrage abroad, sucking Honey from ever Flower to bring to their King. *Ignavum fucos pecus à præsepibus arcent*, The drones they drive away out of their Hives, *non habentes aculeos*. And who so assails their King, in him *immittunt aculeos*; & tamen *Rex ipse est sine Aculeo*.

Your Majesty is that Princely Governour and Noble Queen, whom we all serve; being protected under the shadow of your Wings we live, and wish you may ever sit upon your Throne over us. And whosoever shall not say *Amen*; for them we pray *ut convertantur ne pereant, & ut confundantur ne noceant*. Under your happy government we live upon Honey, we suck upon every sweet Flower: But where the Bee sucketh Honey, there also the Spider draweth Poyson. Some such venoms there be. But such Drones and Door Bees we will expel the Hive and serve your Majesty, and withstand any enemy that shall assault you. Our Lands, our Goods, our Lives are prostrate at your feet to be commanded. Yea and (thanked be God, and Honour be to your Majesty for it) such is the power and force of your Subjects, that of their own strength they are able to encounter your greatest enemies. And though we be such, yet have we a Prince that is *sine Aculeo*, so full of that Clemency is your Majesty. I fear I have been too long, and therefore to come now to your Laws.

The Laws we have conferred upon this Sessions of so Honourable a Parliament are of two natures; the one such as have life but are ready to die, except your Majesty breathe life into them again; the other are Laws that never had life, but being void of life do come to your Majesty to seek Life.

The first sort are those Laws that had continuances until this Parliament, and are now to receive new Life or are to die for ever. The other that I term capable of life are those which are newly made, but have no essence until your Majesty giveth them life.

Two Laws there are, but I must give the Honour where it is due; for they come from the Noble wise Lords of the Upper House; the

most Honourable and beneficial Laws that could be desired: the one a confirmation of all Letters Patents from your Majesties most Noble Father of all Ecclesiastical Livings, which that King of most renowned memory your Father took from those Superstitious Monasteries and Priors, and translated them to the erecting and setting up of many Foundations of Cathedral Churches and Colledges, greatly furthering the maintenance of Learning and true Religion.

The other Law to suppress the obstinate Recusant and the dangerous Sectary, both very pernicious to your Government.

Lastly, Your loving and obedient Subjects the Commons of the Lower House humbly and with all dutiful thanks stand bound unto your gracious goodness for your general and large Pardon granted unto them, wherein many great offences are pardoned.

But it extendeth only to offences done before the Parliament.

I have many ways since the beginning of this Parliament by ignorance and insufficiency to perform that which I should have done, offended your Majesty, I most humbly crave to be partaker of your Majesties most gracious Pardon.

The Lord Keeper received Instructions from the Queen, and afterwards replied unto the Speaker.

The former part of this Speech was an Answer almost *verbatim* to the Speakers Oration, very excellently and exactly done: And those things which follow are to this or the like purpose, *viz.* That her Majesty did most graciously accept of these Services and Devotions of this Parliament, commending them that they had employed the time so well and spent it in so necessary affairs, save only that in some things they had spent more time than needed. But she perceived that some men did it more for their satisfaction than the necessity of the thing deserved. She misliketh also that such irreverence was shewed towards Privy Councillors, who were not to be accounted as common Knights and Burgesses of the House, that are Councillors but during the Parliament; whereas the other are standing Councillors, and for their wisdom and great service are called to the Council of the State.

That the Queens Majesty had heard that some men in the Cause of great necessity and grant of Aid, had seemed to regard their Country, and made their necessity more than it was, forgetting the urgent necessity of the time and dangers that were now imminent.

That her Majesty would not have the people feared with a report of great dangers, but rather to be encouraged with boldness against the Enemies of the State. And that therefore she straitly charged and commanded that the Mustered Companies in every Shire should be supplied, if they were decayed: And that their Provisions of Armor and Munition should be better than heretofore it hath been used.

That for this offer of three Subsidies, her Majesty most graciously in all kindness thanketh her Subjects: But except it were freely and willingly given, she did not accept of it; for her Majesty never accepteth any thing that is not freely given.

That if the Coffers of her Majesties Treasures were not empty, or if the Revenues of the Crown and other Princely Ornaments could suffice to supply her wants and the Charges of the Realm, in the word of a Prince she doth pronounce it, she would not have charged her Subjects, nor have accepted of this they give her.

The Lord Keeper's Speech being ended, after some time of Intermision, the Queen being set in her Chair of State, used a Princely Speech unto the House; of which the greatest part was to the effect and purpose following, *viz.*

THis Kingdom hath had many Wise, Noble and Victorious Princes, I will not compare with any of them in Wisdom, Fortitude and other Vertues; but saving the Duty of a Child, that is not to compare with his Father, in Love, Care, Sincerity and Justice, I will compare with any Prince that ever you had, or shall have. It may be thought simplicity in me, that all this time of my Reign I have not sought to advance my Territories, and enlarge my Dominions; for opportunity hath served me to do it. I acknowledge that my Womanhood and weakness in that respect. But it hath not been the hardness to obtain, or doubt how to keep the things so obtained, that only hath withheld me from these attempts: My Mind was never to Invade my Neighbours, or to Usurp over any. I am contented to Reign over mine own, and to Rule as a Just Prince. Yet the King of Spain doth challenge me to be the Quarreller, and the Beginner of all these Wars. He doth me the greatest wrong that can be; for my Conscience doth not accuse my thoughts, wherein I have done him the least Injury; so that I am perswaded in my Conscience, if he knew what I know, he would be sorry himself for the wrong he hath done me. I fear not all his Threatnings, his great Preparations and mighty Forces do not stir me: For though he come against me with a greater Power than ever was his Invincible Navy, I doubt not but (God assisting me, upon whom I always trust) I shall be able to defeat him and overthrow him. For my Cause is Just. I heard say when he attempted his last Invasion, some upon the Sea-Coasts forsook their Towns and fled up higher into the Country, and left all naked and exposed to his Entrance: But I swear unto you, By God, if I knew those persons, or may know of any that shall do so hereafter, I will make them know and feel what it is to be so fearful in so urgent a Cause.

The Subsidy you give me I accept thankfully, if you give me your good will with it; but if the

the necessity of the time and your Preservations did not require it, I would refuse it. But let me tell you, the sum is not so much, but that it is needful for a Prince to have so much always lying in her Coffers for your defence in time of need, and not be driven to get it when she should use it.

You that are Lieutenants and Gentlemen of Command in your Countreies, I require you to take care and special Order, that the people be well Armed and in readines upon all occasions.

You that be Judges and Justices of Peace, I Command and straitly Charge you, that you see the Law to be duly executed, and that you make them living Laws when we have put life into them.

Thus with most gracious thanks to the House her Princely Speech ended.

Note, That the several Interlocutory Speeches of the Speaker and the Lord Keeper immediately foregoing, with the coming up of the said Speaker and the rest of the House of Commons into the Upper House, are not found in the Original Journal-Book of the same House, but are here inserted partly out of the Original Journal-Book of the House of Commons, and partly out of another very exact Journal of that House which was in my Custody, being very diligently observed and set down by some *Anonymus*, who was a Member of the said House during this Parliament, out of which the said Speeches were written almost *verbatim*. And I have always thought it most fitting in all those several Journals, ever to refer such like Speeches and other Passages as are wholly handled and agitated in the said Upper House, to be set down as largely as by any good Authority they may in the Journal of the same, to which they do most truly and properly belong, and only for order sake to give a short touch or remembrance of them in the Journal of the House of Commons.

After the before-recited Speeches were ended as aforesaid, then were the Titles of all the Acts read in their due order. Which manner of the Clerk of the Upper House his reading, and of her Majesties Answering to the said Acts, is not thus exactly set down in the Original Journal of this Parliament, but is supplied out of another of the Queens time, and doth alike serve in all places, because the same form is still continued.

And first the Bill of Subsidies, to which the Clerk of the Parliament standing up did read the Queens Answer in manner and form following, *viz.*

La Roigne remercie ses loyaux subjectes, accepte leur benevolence, & ainsi le veut.

The Clerk of the Parliament having read the Queens Acceptance, and thanks for the Subsidies given as aforesaid, did then upon reading of the Pardon pronounce in these French words following, the thanks of the Lords and Commons for the same.

Les Prelats, Seigneurs & Communes en ce present Parliament assemblees, au nom de tous vostres autres subjects remercient tres humblement vostre Majeste & prient à dieu, que il vous done en sainte bonne vie & longue.

Nota, That here to the Bill of Subsidy, because it is the meer gift of the Subject, the Queens Consent is not required for the passing of it, but as it is joined with her thankful acceptance; nor to the Bill of Pardon, because it is originally her free gift, is other circumstance required than that the thankful acceptance thereof to the Lords and Commons be likewise expressed, it being but once read in either House before it come thus (at last) to be expedited. Now to all other Bills either private or publick the Queens express consent, though in differing words, is always requisite, as followeth, *viz.*

The publick Acts were read, to every one of which allowed by the Queen the Clerk of the Parliament read in French these words following, *viz.*

La Roigne le veut.

To every private Act that passeth, the said Clerk of the Parliament reads the Queens words in these French words following, *viz.*

Soit fait come il est desire.

These two last Answers to the publick and private Acts that pass, are to be written by the Clerk of the Parliament at the end of every Act.

To such Acts as her Majesty doth forbear to allow, the Clerk of the Parliament reads in French these words following, *viz.*

La Roigne s'advise.

After which ended, the Dissolution of the Parliament followed in these words, *viz.*

Dominus Custos magni Sigilli ex mandato Dominae Reginae tunc presentis, dissolvit present Parliamentum.

T H E

JOURNAL

O F T H E

House of COMMONS.

A Journal of the daily Passages of the House of Commons in the Parliament holden at Westminster, Anno 35 Regiæ Eliz. Anno Domini 1592. which began there on Monday the 19th Day of February, and then and there continued until the Dissolution thereof on Tuesday the 10th Day of April, Anno Domini 1593.

THIS Journal of the House of Commons is fully replenished with many Excellent Passages; both touching the publick State of the Realm, and also concerning Priviledges, Elections, Returns and such like private Affairs of the House it self: So that not only the dangers of the Realm were discussed and the Ecclesiastical Government touched, but also consultation was had for a seasonable and timely preparation to be made against the ambitious and proud designs of the Spanish King. Neither is it unworthy the Observation, that some unusual distast was occasioned from her Majesty towards some Members of the House by reason of their intermedling with the Succession of the Crown, which she had expressly forbidden. Which Passage, as also divers other particular Speeches, being not found in the Original Journal-Book of the House of Commons, are supplied out of another Journal of the same House very exactly and elaborately taken by an *Anonymus*, being a Member of the same at this Parliament: but yet with this Caution, to avoid confusion, that whatsoever is inserted out of the said Anonymous Journal hath a particular Animadversion annexed unto it for discovery thereof.

The eighth Parliament of our Sovereign Lady Elizabeth by the Grace of God Queen of England, France and Ireland, Defender of the Faith, begun at Westminster upon Monday being the 19th

day of February in the thirty fifth year of her Majesties Reign. And thereupon many of the Knights, Citizens, Burgeses and Barons returned into the same Parliament, then made their Appearances at Westminster before the Right Honourable the Earl of Darby, Lord Steward of her Majesties most Honourable Household, and did take the Oath before the said Lord Steward or his Deputies, according to the Statute in that behalf lately made and provided.

The manner of the administering of the said Oath to the said Knights, Citizens and Burgeses, was as followeth. The said Lord Steward removed into the Court of Requests, and having called over the said Knights and others that were returned by their names, M^r Vice-Chamberlain and others of her Majesties Privy-Council took the said Oath before his Honour; and then having appointed them his Deputies to swear the residue of the House of Commons who had then appeared according to their several returns, he departed. And thereupon his Lordships said Deputies proceeded to the further administering of the aforesaid Oath to other Members of the said House; who after they had taken the same, entred into it and placed themselves. The Fee for entring the name into the Serjeants Book, is two shillings. The reward to the Door-Keeper three shillings eight pence. The Fee for returning the Indenture two shillings.

About two of the Clock in the Afternoon this present

present *Monday* her Highness with divers of the Lords Spiritual and Temporal, and such others as had place there, being let into the Upper House, and the Knights, Citizens and Burgeses of the House of Commons, as many as conveniently could, being (at length) let in; The Right Honourable Sir *John Puckering* Knight, Lord Keeper of the Great Seal of *England*, declared the said Parliament to be called by her Highness only for Consultation and Preparation of Aid to be had and made against the mighty and great Forces of the King of *Spain*, bent and intended against this Realm, as well by some practices attempted by him in the Realm of *France*, and with some of the Nobility of *Scotland*, as by many other ways and means to that end and purpose. And did in the end advise the said Commons to employ the time of this present Session of Parliament in the aforesaid Consultation; and not to go about the making of any new Laws for the Common-Wealth at this time, as well for that there are very many good Laws already in force; more (he said) than are well executed; as for that also such new Laws (if they be needful) may be treated of and dealt in at some other time hereafter. And so willed them to repair to their accustomed place, and make Choice of their Speaker. Which done, the said Parliament was Adjourned until *Thursday* next following.

After which the said Knights, Citizens and Burgeses of the House of Commons being Assembled in the same House, the Right Honourable Sir *Francis Knowles* Knight, one of her Majesties most Honourable Privy-Council, and Treasurer of her Highness most Honourable Household, stood up, and putting the House in remembrance of the said Charge of the said Lord Keeper given unto them for chusing of their Speaker; and very gravely and amply setting out sundry the good parts and commendable qualities and abilities of the Right Worshipful Mr *Edward Cooke* Esquire Learned in the Laws of this Realm, Solicitor General to her Majesty, and being a Member of this House returned into the same one of the Knights for the County of *Norfolk* doth in the end for his part and opinion nominate the said Mr *Edward Cooke* to be chosen for their Speaker in this present Parliament, if the residue of this House shall so think good. Unto which Motion as many of the said House assented with their Voices, so the said Mr *Edward Cooke* thereupon stood up, and very gravely and discreetly behaving himself as well in all due thankfulness unto this House for their said good opinion conceived of him, as also in disabling himself in divers respects for the discharge due and requisite for that place, humbly prayeth them to proceed to a new Election. Which done, the Right Honourable Sir *Thomas Heneage* Knight, Vice-Chamberlain to her Majesty, and one other of her Highness's most Honourable Privy-Council, stood up, and not only approving but also very much amplifying the said former sundry commendable

gifts and abilities of the said Mr *Edward Cooke* exceeding many others, and comparable in his opinion and judgment with any others for that place and charge, (gathering also the same partly from his own late former Speech of excuses) doth in the end resolutely deliver his opinion to make choice of the said Mr *Cooke* to be their Speaker. And also thereupon moving the question to the House, the said Mr *Cooke* was with one full consent and voice of the whole House, nominated and chosen to be their Speaker for this present Parliament. And so was thereupon presently brought by the said Mr Treasurer and Mr Vice-Chamberlain, and set in the Chair. And immediately after the House did rise and were appointed to repair thither again upon *Thursday* next following.

On *Thursday* the 22th day of *February*, to which day the Parliament that begun on *Monday* foregoing, being the 19th day of the same Month, had been continued by Sir *John Puckering* Knight Lord Keeper of the Great Seal, by her Majesties Commandment, the Queens Majesty and divers of the Lords Spiritual and Temporal being set in the Upper House, the Knights, Citizens and Burgeses of the House of Commons had notice thereof, and thereupon they repaired thither with *Edward Cooke* Esquire, her Majesties Solicitor, their lately Elected Speaker; who being led up to the Rail or Bar at the lower end of the said House by two of the most eminent Personages of the aforesaid House of Commons, after humble reverence made, declared unto her Majesty his Election to the said place of Prolocutor; and then alledging (according to the usual course) his own insufficiency did desire her Majesty to enable him to that Charge; and to consider that howsoever he were the meanest that ever went before him in that place in respect of Experience, yet in respect of his faithfulness he thought himself inferiour to none.

After which Speech her Majesty by the Mouth of the Lord Keeper, having allowed and approved his Election, the said Speaker having in a second Speech shortly touched her Highness happy and victorious Reign, and somewhat largely proved the antient Supremacy of the Kings of *England* in Ecclesiastical matters, did in the end of his said Speech make certain Petitions of course in the name of the House of Commons; First, For liberty of Speech; Secondly, For freedom from Arrests; And thirdly, For Access unto her Majesty. And lastly, For Pardon for himself if he should in any thing unwittingly be mistaken.

To which Speech the Lord Keeper, having received new Instructions from her Majesty, made a reply in particular to the several branches of the said Speakers Speech. And to his three demands he Answered, that liberty of Speech was granted in respect of the I and No, but not that every one should speak what he listed. And touching freedom from Arrests, and Access to her Majesty, he

he advised, that they might be cautiously made use of.

Nota, That none of these Particulars touching the Presentment of the Speaker, are set down in the Original Journal-Book of the House of Commons, but are abstracted out of another Journal of the same House taken by an Anonymous Member of the same during the Parliament, mentioned at the beginning of this present Journal, yet it appeareth plainly by the very Original Journal-Book it self, *Fol.* 262. *l.* that the Prolocutor was this day presented to her Majesty, where the words are as followeth, *viz.*

Jovis xxii^{do} Febr. 92.

This Day Mr Speaker was presented unto her Majesty.

Which said words (being only here a little otherwise placed for Order sake than there) have a large Blank left at the end of them of somewhat above half a page, with intention no doubt at the first to have inserted the whole manner of the proceeding both of this presentment and admission.

After the Return also of the Speaker (now compleatly invested in that place) with the rest of the House of Commons, one Bill was read according to the usual form in that Case accustomed, which is set down in the said Journal-Book in these words following, *viz.*

The Bill, that a Bar at large may be pleaded in any Action of *Ejectione firmæ* was read the first time.

Mr Speaker immediately after the reading of this Bill, and his opening of the contents of the same to this House, shewed unto them from her Majesty, that her Highness had Adjourned (mistaken for continued) the Higher House till *Saturday* next; And also that her Majesties pleasure likewise was, that this House should therefore be Adjourned till the same time; which being so done accordingly, this House did then rise, and every man went away.

On *Saturday* the 24th day of *February* the House being set, and a great number of the Members of the same assembled; Mr Speaker not then as yet being come to the House, some of the House said one to another, they heard he was sick: And one affirmed it to be so indeed, shewing that he had been with him this Morning himself; and left him sick in his Bed, and his Physician and his Wife with him; and some others supposing that he would shortly signify unto this House, the Cause of that his absence, moved that the Clerk might in the mean time proceed to saying of the Litany and Prayers. Which being so done accordingly, the Serjeant of this House presently after the said Prayers finished, brought word from Mr Speaker unto the Right Honourable Sir *John Woolley* Knight one of her Majesties most Honourable Privy Council, and a Member of this House and then

present in the same House; that he had been this last Night and also was this present Forenoon so extreemly pained with a wind in his Stomach and Loosness of Body, that he could not as yet without his further great peril and danger adventure into the Air at this time, which otherwise most willingly he would have done. And willed that the Clerk of this House might signify unto the House the said estate of his Case, and in his name to desire their good favourable considerations of the same, not doubting their gentle and courteous acceptance of that his so reasonable excuse, as by this House hath also been in former time used in like Case towards some other his Predecessors in the place he now serveth; And to shew them, he trusteth in God he shall be able to attend them in this House upon the next day of sitting, which will be *Monday* next. The Effect of which Message being then signified unto this House by the said Clerk of the House, all the said Members of this House being very sorry for Mr Speaker his sickness, rested well satisfied. And so the House did rise, and every man departed away.

Nota, That this is all which is found in the Original Journal-Book of the House of Commons touching this days business, and therefore that which followeth is supplied out of that Anonymous Journal mentioned at the beginning of this present Journal, touching the residue of this days passages.

This day Mr *Peter Wentworth* and Sir *Henry Bromley* delivered a Petition unto the Lord Keeper, therein desiring the Lords of the Upper House to be suppliant with them of the lower House unto her Majesty for Entailing the Succession of the Crown, whereof a Bill was readily drawn by them.

Her Majesty was. highly displeased therewith after she knew thereof, as a matter contrary to her former strait Commandment; and charged the Council to call the parties before them. Sir *Thomas Heneage* presently sent for them, and after Speeches had with them, commanded them to forbear the Parliament, and not to go out from their several Lodgings.

The day after being *Sunday* and the 25th of *Febr.* though the House sate not, yet they were called before the Lord Treasurer, the Lord *Buckhurst* and Sir *Thomas Heneage*. The Lords intreated them favourably and with good Speeches; But so highly was her Majesty offended that they must needs commit them, and so they told them. Whereupon Mr *Peter Wentworth* was sent Prisoner unto the Tower; Sir *Henry Bromley* and one Mr *Richard Stevens*, to whom Sir *Henry Bromley* had imparted the matter, were sent to the Fleet, as also Mr *Welch* the other Knight for *Worcestershire*. *Vide Mar.* 10.

About this matter in the beginning of the Parliament was appointed a Committee to be had of many grave, wise and ancient Parliament men, which were of the House, but at this time few met

met at the place appointed, at least not such as were expected.

It was appointed also at this time to Mr *Stevens* to peruse the penning of the Petition that should have been delivered to that House, and to have provided a Speech upon the delivery of it: But this Office by reason of other occasions he could not attend. What other things were done or spoken in that Conference, were, as I heard, confessed to some of the Privy-Council by some of those Parties that were present at that Conference. All that were there, except those before-named, went free and were never called in question that I heard of. And thus far it is inserted out of the aforesaid Anonymous Journal.

On Monday the 26th day of February, the Bill for reducing disloyal Subjects to their due Obedience, had its first reading.

Upon a Motion made by Mr *George Moore* touching some questions for the manner of Election of one *Richard Hutton* returned into this House one of the Burgesses for the Borough of *Southwark* in the County of *Surrey*, and supposed to have been indirectly made; and so prayed to be further Examined by some Committee of this House, and then to be reported over to this House for the further Order of this House in the same: And upon another Motion thereupon also made by Mr *Wroth* for a Committee for the Liberties and Privileges of the Members of this House and their Servants, it is upon the question Ordered, that all the Members of this House being of her Majesties Privy-Council, Sir *William Moore*, Mr *Serjeant Telverton*, Mr *Robert Wroth*, Mr *Recorder of London*, Mr *Heyle*, Mr *Conisby*, Mr *Miles Sands*, Mr *Attorney of the Wards*, Mr *Attorney of the Dutchy*, Mr *William Howard*, Sir *Henry Cooke*, Sir *Francis Godolphin*, Sir *George Moore*, Sir *Walter Raleigh*, Sir *Francis Drake*, Mr *Tanfield*, Mr *Francis Bacon*, Mr *Lewkenor*, Sir *John Harrington*, Mr *Emersam*, Sir *Edward Hobby*, Mr *Lawrence Stourton*, Mr *Beale*, Mr *Doctor James*, Sir *Henry Dutton*, Mr *Doctor Caesar*, Mr *Tasborough*, Sir *Moyle Finch*, Sir *Thomas Cecill* and Sir *Francis Hastings* shall, during all this present Sessions of Parliament, examine and make report of all such Cases touching the Elections and Returns of any the Knights, Citizens, Burgesses and Barons of this House, and also all such Cases for privilege as in any wise may occur or fall out during all the same Sessions of Parliament; to the end this House upon the Reports of the same Examinations may proceed to such further course in every the same Cases as to this House shall be thought meet. And it is further Ordered, that the said Committees do meet upon Wednesday next in the Exchequer Chamber at three of the Clock in the Afternoon to examine the manner of the said Election of the said *Richard Hutton*, and also any other case of Elections, Returns or Privileges whatsoever in question, which shall be moved unto them by any Member of this House at their Pleasure. And notice was then also given in the House to all the

Members of the same, that in all these Cases they might from time to time repair to the said Committees as occasion shall serve accordingly.

The Bill touching salted Fish and salted Herrings had its first reading.

Sir *Robert Cecill*, Sir *John Wolley*, Sir *John Fortescue*, Sir *Edward Stafford* and Mr *Francis Bacon*, having severally delivered most manifest and apparent reasons of the inevitable necessity both of present consultation and also of present Provision of Treasure to prevent and withstand the great imminent perils and dangers of this Realm, intended against the same by the King of Spain, the Pope and other Confederates of the Holy League; The said Sir *Robert Cecill*, Sir *John Fortescue*, Sir *John Wolley*, and Mr *Francis Bacon*, laying open the sundry particular practices of the King of Spain against the State of this Realm; attempted both in Ireland, the Low Countries, France and Scotland, do each of them in the end conclude and move, That a grave Committee of this House be presently selected to have Conference touching some fit course to be taken for the said consultation and provision of Treasure. And thereupon it was upon the Question Ordered and Assented to by the whole House.

Nota, That this is all that is found in the Original Journal-Book of the House of Commons touching these Speeches; which because they contain many Excellent Passages concerning the History of these times of her Majesty, I have therefore supplied at large, Sir *Edward Staffords* Speech only excepted (which was wanting there also) out of a very Elaborate Journal of the same House, taken by some Anonymous Member thereof at this Parliament, which is mentioned more at large in the beginning of this present Journal. Sir *Robert Cecill* spake first and said.

As I remember, I have been of this House these five Parliaments, and I have not determined to say any thing in these Assemblies further than my Cogitations should concur with my Conscience in saying bare I, or No. Give me leave, I pray you, to rehearse an old saying, and it is in Latin, *Nec te cellaudes, nec te vituperes ipse*; for me to do the one were exceeding arrogancy, and to do the other, I do confess, I hope, you will pardon me.

The occasion of this Parliament, as I take it by that which we received from the Honourable and Learned Speech of the Lord Keeper of and from her Majesty to us in the Higher House, is for the cause of Religion and maintenance thereof amongst us, the preservation of her Majesties most Royal Person, and the good of this Realm of our Country. All which because they be things of most dear and greatest price, and at this present in exceeding great and imminent danger, it is most behoofull to consult of speedy remedies, which should proceed from the wisest Heads. The Enemy to these is the King of Spain, whose malice and ambition is such, as together with the Pope, that Antichrist of Rome, (for I may

may well couple them together, the one being always accompanied with envy at our Prosperity, the other with unsatiable desire) makes them by all means to seek the Subversion of the State. But concerning the first the cause of God and his Religion, which her Majesty professed before she came to sit in this Royal Seat, which she hath defended and maintained, and for which cause God hath so blessed her Government since her coming to the Crown: Yea while the Crown was scarce warm on her Head; she abolished the Authority of *Rome*, and did set up Gods truth amongst us; and to her great renown made this little Land to be a Sanctuary for all the persecuted Saints of God: whereby the people perceived her Magnanimity, Zeal and Judgment; Magnanimity in undertaking so great an Enterprize; Zeal in professing the same not for the shew, but of sincerity; Judgment in defending it and preventing all his designs. He sent forth his Bulls and Missives against her Majesty, thereby most unnaturally depriving her of her most natural right, the Duty and Loyalty which her Subjects should owe unto her, &c. He touched the many dangers her Majesty had been in, which as it caused him to fear to think, so did he tremble to speak concerning the danger of her Country, and so the loss of our Lives, Liberties, Wives, Children, and all other Priviledges. Let me not trouble you with things past so long and perhaps beyond my reach, but with things past of late years and since Eighty eight. When we were so secure and never thought that the King of *Spain* would have set up his Rest for *England*; Then sent he his Navy termed *Invincible*, and was almost upon the Banks of us before we were aware. Yea we were so slack in provision, that it was too late to make resistance, had not God preserved us. His attempt against us by seeking to win the *Low-Countries* and to obtain *Ireland*, being but trifles and partly devices, which I mean not to trouble you with; he hath now of late gone about to win *France*, wherein he hath greatly prevailed, as in *Lorraine* and in other parts, as you have heard, but specially in *Britany*, having most part of the Port Towns in his Possession, whither he still sendeth supply daily, and reinforces them every four or five Months, which part is always open and his men and forces never wanting. This Province he especially desireth, for it lyeth most fitly to annoy us, whither he may send forces continually, and there have his Navy in a readines; the which he could not so easily, unless he had the wind in a bag. Besides having this Province, he might keep us from Traffick to *Rochell* and *Burdeaux*, as he doth in the Straights from *Tripoly* and *S^t Jean de Luce*: And so hinder us from carrying forth and bringing into this Land any Commodities from those parts; whereby the Realm might be enriched and her Majesties Impost ever eased, being one of the greatest Revenues of her Crown. He hath also gone about with them of *Stade* and the King of *Poland*, one of his own Faction, and

who by reason he cannot do in that Kingdom what he listeth, he may not so easily command him to impeach, or hinder our Traffick in those Eastern parts, which if he could bring to pass, you see how hurtful it would be to this Land.

But to descend yet lower into these latter Actions. He hath seen it is but a folly to make Wooden Bridges to pass into *Ireland*, therefore he hath found out a safer way and stronger passage into it by Land, and that by *Scotland*, which though it be not talked of on the *Exchange*, nor Preached at *Paul's Cross*; yet it is most true, and in *Scotland* as common as the high-way, That he hath procured unto him many of the Nobility. It may be he hath sent thither no great Navy, and that her Majesty would not suffer him to do; yet do what she can, some one Paltry Fly-Boat may escape her Majesties Ships, and carry gold enough in her to make them Traytors, and stir them to Sedition. These things her Majesty understood before, and Advertized the King thereof; which the effect hath proved to be true. For unless I be deceived, the last Letter that came from thence might shew that the King is gone to make a Rode into the North, and to bring back the Lord *Bothwell* and the Lord *Huntley*. The King of *Spain's* malice thus daily increaseth against us, and seeketh also to stir up Sedition amongst us by his Instruments. The number also of Papists daily increaseth, or at least wise becomes more manifest. My advice is, that you would consult how to withstand such imminent dangers, which the greater they be, the sooner they would be looked into and remembered. Wherefore I would desire M^r Speaker that he would appoint some Committees of the sufficientest and wisest men in the House to consider thereon.

Sir *John Wolley* spake to the like Effect, saying, that upon the Cause of the danger the Realm was now in, and of the remedy, his Speech should consist; which he likened to a natural Body, in which the more danger the principal Member was in, the greater means there should be used for the preservation thereof. *Roan* being made now Admiral of *France* by the League, should say, that he was a poor Admiral now, but yet he doubted not but that shortly he should be able to bring such a Navy as should terrify the Queen of *England*. Also he shewed how the Princes of the Holy League had conspired the overthrow of the Realm, the extirpation of Religion, and the confusion of her Majesty and her Loyal Subjects. And exhorted the House, now because the season of the year groweth on, which calleth many of the Knights and Burgessees to be in their Countries, besides the Sicknes being in the Town, so that many of that House he thought knew not whether they lodged in Houses infected or not, that they would seek to dispatch and end the Parliament so soon as might be. He also shewed how the *Dunkirkers* troubled

led our Fishermen in small Barks upon the Sea-coasts. And so that this matter might be Committed to some of the sufficientest in the House. He also exhorted the House to a speedy agreeing of a Subsidy: which considering the dangers we were in, and that it was for our own good, as also for her Majesty's, he hoped that no good Subject but would willingly agree to it. Also he shewed that the Wars with the King of *Spain* had cost her Majesty a Million of Money: but this he avouched, that where it cost her Majesty one, it cost the King of *Spain* three.

Then Sir *John Fortescue* spake and said: They that spake before me, spake sufficiently of the Authors of our trouble, of the great danger which is now imminent, insomuch that as it is come to that point now, *Non utrū imperare, sed utrū vivere.* I will speak of nothing but that which concerns my Calling. Her Majesty not being only careful for the preservation of Her own Realm, but of her Neighbours also; she hath not only defended her own Subjects from being invaded, but also hath aided Strangers which wanted Money, with whom otherwise it would have gone ill by this time both with them and ourselves. Insomuch that the burthen of four Kingdoms hath rested upon her Majesty, which she hath maintained with her Purse, *England, France, Ireland, and Scotland.* For how could the French King at his first coming to the Crown have held out against those Leaguers, had not her Majesty assisted him with her Men and Money, which hath cost her Majesty about a hundred thousand pound? For 'tis well known that the French King had not been able to withstand the Duke of *Parma's* coming into *France*, had it not been for our Englishmen and Money. As for the *Low Countries*, they have stood her Majesty in yearly, since she undertook the defence of them, one hundred and fifty thousand pound. All which her Majesty bestowed for the good of the Realm, to free us from War at home. Besides, when her Majesty came to the Crown, she found it four Millions indebted; her Navy when she came to view it, she found greatly decayed: Yet all this hath discharged, and (thanks be to God) is nothing indebted; and now she is able to match any Prince in *Europe*, which the *Spaniards* found when they came to invade us. Yea she hath with her Ships compassed the whole world, whereby this Land is made famous throughout all places. She did find in her Navy all Iron Pieces, but she hath furnished it with Artillery of Brasse, so that one of her Ships is not a Subject's, but a petty King's wealth. As for her own private Expences, they have been little in building; she hath consumed little or nothing in her pleasures. As for her Apparel, it is Royal and Princely, befitting her Calling, but not sumptuous nor excessive. The Charges of her House small, yea never less in any Kings time. And shortly (by Gods grace) she will free her Subjects from that trouble which hath come by the

means of Purveyors. Wherefore she trusteth, that every good subject will assist her Majesty with his Purse, seeing it concerns his own good and the preservation of his estate. For before that any of us would lose the least member of his body, we would bestow a great deal, and stick for no Cost nor Charges: How much more ought we in this political Body, whereof not only a member but the whole is in jeopardy, if we do not once hast to the preservation thereof? And for these Subsidies which are granted now adays to her Majesty, they are less by half than they were in King *Henry* the 8th's time. Now although her Majesty had borrowed some Money of her Subjects besides her Subsidies, yet she had truly repaid and answered every one fully. He desired the matter might be put to a Committee.

Sir *Edward Stafford* spake next to the like effect; but what his said Speech was, is not at all set down in the afore said Anonymous Journal mentioned more fully at the beginning of this Journal present.

Mr *Francis Bacon* spake last, whose Speech was to the effect following, *viz.*

Mr *Speaker*, That which these Honourable Personages have spoken of their Experiences, May it please you to give me leave likewise to deliver of my common knowledge. The Cause of Assembling all Parliaments hath been hitherto for Laws or Moneys: The one being the Sinews of Peace, the other of War. To the one I am not privy, but the other I should know. I did take great contentment in her Majesties Speeches the other day delivered by the Lord Keeper, how that it was a thing not to be done suddenly nor at one Parliament, nor scarce a whole year would suffice to purge the Statute-Book and lessen the Volume of Laws, being so many in number, that neither Common People can practise them, nor the Lawyer sufficiently understand them: Than the which nothing should tend more to the praise of her Majesty.

The *Romans* appointed ten men, who were to correct and recal all former Laws, and to set forth those Twelve Tables so much of all men to be commended. The *Athenians* likewise appointed six for that purpose. And *Lewes* the 9th King of *France* did the like in reforming his Laws But what should here follow is wholly omitted in that Anonymous Journal mentioned in the beginning of these Speeches, out of which they are all taken; yet it should seem that the main end and scope of the ensuing particulars of this Speech, which are omitted, were for the appointing of a select and grave Committee, both to consider of the dangers of the Realm, and of speedy supply and aid to be given to her Majesty.

And thereupon after the Conclusion of this Speech of Mr *Francis Bacon's*, the House did accordingly nominate the said Committee, to deliberate and consult in what proportion they

might now to relieve her Majesty with Subsidies, in respect of those many and great Enemies against whose power and malice she was to provide and prepare for necessary defence and preservation of her Realms and Dominions. The names of which said Committees are set down in the Original Journal-Book of the House of Commons (though omitted in that other before-mentioned taken by the said *Anonymus*) in manner and form following, *viz.*

All those of this House which are of her Majesties Privy-Council, all the Members of this House which are returned Knights for the Counties, Sir *Walter Raleigh*, Sir *Thomas Cecill*, Mr *George Moore*, Sir *Henry Unton*, Mr *Wroth*, Sir *Thomas Wilkes*, Mr *Francis Bacon*, Mr *Nathanael Bacon*, Mr *George Cary*, Mr *Beale*, Mr *Fulk Gre-will*, Mr Attorney of the Wards, Mr Attorney of the Dutchy, Sir *John Paton*, Mr *Robert Sack-will*; Sir *Francis Hastings*, all the Serjeants at Law which were Members of this House, Sir *John Hare*, Mr *Doctor Caesar*, Mr *Doctor James*, Mr *William Howard*, Mr *Sands*, Sir *Robert Sidney*, Mr *Fanshawe*, Sir *Thomas West*, Sir *John Warrington*, Sir *Thomas Read*, Sir *Francis Drake*, Mr *Thomas Fane*, Mr *Vincent Skinner*, Sir *William Moor*, Mr *Fuller*, Mr *Heyle*, Mr *John Hare*, Mr *Shinne*, Mr *Christopher Blount*, Mr *Edward Lewkenor*, Sir *William Bowes*, Sir *John Wingfield*, Mr *Tasborough*, Sir *Edward Stafford*, Mr *Lawrence Fanshawe*, Mr *Nicholas Saunders*, Mr *Doctor Lewen*, Sir *Thomas Flodd*, Sir *Francis Gudolphin*, Sir *Francis Vere*, Mr *Edward Dyer*, Mr *Conisby*, Mr *Boyse*, Mr *Ap-selie* and Mr *Emersam* should be nominated and appointed to have Conference in the said Cause; and to meet for that purpose in this House to Morrow next at two of the Clock in the Afternoon.

On Tuesday the 27th day of February, Two Bills of no great moment had each of them one reading; of which the first being the Bill touching Woollen Cloaths called Vessles, Rayes, &c. was read the first time.

Mr *Morrice* Attorney of the Court of Wards, moveth the House touching the hard Courses of the Bishops and Ordinaries and other Ecclesiastical Judges in their Courts, used towards sundry learned and godly Ministers and Preachers of this Realm by way of Inquisition, subscription and binding absolution, contrary (he said) to the honour of God, the Regality of her Majesty, the Laws of this Realm, and the liberty of the Subjects of the same; compelling them upon their own Oaths to accuse themselves in their own private actions, words and thoughts, if they shall take such Oaths, because they know not to what questions they shall answer till after the time they be sworn; And also after such Examination proceed against them by deprivation, degradation or suppression, upon such their own Accusations of themselves. And if they refuse to take such Oath, then they commit them to Prison, and there keep and detain them at their

own pleasure, not absolving or releasing them until they shall first have taken a Corporal Oath of their Canonical Obedience to their Ordinaries. And shewing further at large the great inconvenience thereby grown unto the free Subjects of this Realm, doth in the end pray a Consultation to be had therein by this House for redress of the said Enormities; and offereth unto Mr Speaker two Bills, the one concerning the said Inquisitions, subscriptions and offering of Oaths, and the other concerning the Imprisonments upon their refusal to the said Oaths, praying that the said latter Bill which concerneth the said Imprisonments might be read, and the other to be offered to this House at some other more convenient time.

Nota, That there is no other Speech touching this business particularly and fully set down in the Original Journal-Book of the House of Commons, and therefore those Speeches which follow are supplied out of that Anonymous Journal of the same House, of which there is more particular mention made in the very beginning of this present Journal.

Mr *Dalton* stood up and spake with much earnestness against it, saying, It is hard upon a sudden for me to Answer a long premeditated Speech, but as I am able I will say and shew what I think of the Bill Exhibited. It pretends great things in shew, tending to the hindrance of Gods service and the derogation of her Majesties Prerogative, to the overthrow of our Laws and violating of our Liberties; Things I say great in shew, but no such things to be found in the matter spoke against. It is easy to make of a Mole-Hill a Mountain in words, so by a well compiled Speech to make a great and dangerous thing of nothing; nay a thing indeed needless; for that the State hath hitherto always stood upon this Government. And so shewed how Ecclesiastical Government was distinct from the Temporal. The Reasons he gave were few or none; only his great dislike was, that having received strait Commandment from her Majesty not to meddle with things concerning the Reformation of the Church and State of this Realm, therefore in his opinion the Bill ought to be suppressed.

Sir *John Woolley* spake also against the Bill disallowing the matters in it: And taking it as too busy a meddling in such a thing so forbidden by her Majesty, so he thought it not fit that it should be read.

Then spake Sir *Francis Knowles*, allowing the Bill, and Answered, That whereas it was condemned as seeking the overthrow of a Member of the State, and so against the Law, it tended in his opinion but to the reforming of abuses and restraining of the Prelates: That if they meddle against the Laws, they shall incur a *præmunire*. So that he thought the Bill to be good and fit to be read.

Then

Then spake Doctor *Lewen*, driving his Speech to a full Answer of M^r *Morris* his Speech. And first he shewed, that as the natural Body was delighted in Change, so was it also in the politick Body, greedy of alteration. That this Eversion of Bishops had long been sought for; and in shooting at their Jurisdiction their aim was at their places; as being no more able to stand the one without the other, than a House without a Foundation. Then he entred into a Discourse of Government, as Monarchies, Aristocracies and Democracies. He allowed the Monarchies; and in the most famous Monarchies in the World shewed this Government now exercised by the Bishops to have been used. He endeavoured to prove the Bishops to be such a part of the Body politick, as without them it could be no Body. And in comparing it with the state of the Natural Body, he termed the Prince and the Counsellors of State to be as the Senses, and as the Head; The Bishops and Ministers as the Shoulders and Arms; the common people the Legs. Now to take away the Shoulders from the Body were as great a blemish and prejudice as to have the Fingers tied unto the Shoulders. Then came he to three parts of M^r *Morris* his Speech, *Inquisition*, *Subscription* and *binding absolution*. *Inquisition* he proved lawful; First because it had been so long used, and in the greatest Monarchies allowed. For before *Inquisition* came in, the manner of Tryal was by Accusation, and then the party accusing was to suffer the penalty that the Law inflicted upon the party accused, if he failed in his accusation. Then it might be that the party accused, if the Accuser failed in his accusation, might sollicite two Witnesses to Answer for him, which was sufficient to acquit him: So the guilty escaped and the guiltless accuser was punished. This seeming grievous, they changed their Tryals into Inquisitions. And whosoever reads *Demosthenes* and *Tully*, shall see how unwillingly they were hired to accuse. And if we look into the Laws of this Realm, it is altogether by Inquisitions in Courts Baron, Leets, and in the Kings Courts, and in the Star-Chamber. So that this course is as lawful in the Ecclesiastical as in the Temporal Law. *Subscription* was a thing we were bound unto by Statute. The like was used in our Churches as at *Geneva*, so as allowable here. *Absolution*, termed *binding*, is no other than in the Common Law; for in the Writ *de Excommunicato capiendo*, the party absolved is to be sworn *ad servandum jus*, and his Oath to perform the Law in this absolution is not grievous: Whereas otherwise the party accused was to find pledges for the same. Nay it is a liberty to him, when upon his Oath he may be freed. And so as to the Bill, he thought it fittest that it should be first considered of by the Bishops and Judges of the Realm before it were read.

After this Mr. *Henry Finch* (as may be conjectured out of the Original Journal-Book of the House of Commons, where though his Speech be

omitted, yet he is set down and nominated to have spoken next after Doctor *Lewen*) spake also against the Bill much to that effect which the said Doctor *Lewen* had spoken: But neither was his name expressed in the aforesaid Anonymous Journal, out of which these several Speeches are transcribed, nor yet any more particulars of that which he spake.

Then stood up Mr. *Oliver St John*, as may be collected out of the aforesaid Original Journal-Book of the House of Commons, where he is laid to have spoken next after Mr. *Henry Finch*, although his Speech be wholly omitted (as is his name in the said Anonymous Journal, out of which the said Speech and the rest are inserted) and speaking for the Bill said; it is and hath been the manner of this House to allow a mixture in speaking, and after the Grave, Honourable and Wise, then to hear the meanest also. For my self, I am but young, yet will I shew unto you matter which is old. In Answer to them that spake last, the Ancient Charter of this Realm says, *Nullus liber homo*, &c. which is flatly violated by Bishops Jurisdiction. You know what things *Thomas Becket* stood upon against the King, which things are now also crept in. And for more full Answer of one that spake before, his Antiquity and prescription cannot be allowed in this Government for any reason; for so were the Officials prebited to take and exact Fees, because time out of mind they had done so; And set it down that it was Answered in the Parliament House, That Thieves may prescribe to take Purfes on *Shooters-Hill*, because time out of mind they had done so.

For that of *Inquisition*, it seems to him (specially) that spake last, to be allowed before that tryal by accusation; First by reason of the Antiquity of the tryal. But it cannot be proved so ancient as the manner of tryals by accusations. For in *John*, the Adulterous Woman being brought to Christ, he asked who were her Accusers? And for that manner of Accusation, the Lawyers themselves speak against it; for one faith of it, *Ut libere fatear quod sentiam, nunquam mihi placebat*. For *Subscription*, the Statute alledged is meant but a Subscription to certain Articles in Religion, and not a Subscription in this form. And because it is allowed in *Geneva*, so to allow it here, that is no reason. For in *Geneva* there be many things allowed, which the party speaking would (I dare say) be loth to have used here. As to *Absolution*, there is no such Oath to be required therein in our Writ *de Excommunicato capiendo*, as was said. So I think the Bill very worthy and fit to be read.

Then Sir *Robert Cecil* spake and said: I am unwilling to speak, yea I speak against my Will; and to answer Speeches well studied and premeditated upon the sudden, it is hard for me. What the Bill containeth, I am ignorant of; and whether to allow of it or not, I will suspend my opi-

nion. To say the truth, the man that offered it was learned and wise, and one whom I love; yet a Bill to be offered and enforced in this sort, being of such effect, I know not how to allow of it. For her Majesty had straitly forbidden to meddle in such Cases; yet not forgetting the Cause, she had in her Excellent wisdom cared and pretended that a redress should be had of things that are amiss. To which end her Majesty before the Parliament summoned, had directed her Letters to the Archbishops to certify her.

Now her Highness Care for our good shall be prevented by our hasty speaking of these things before our time. Sure it is not fit, and her Majesty cannot but be offended at it. For the Bill I protest I know it not; but it seemed to contain things needful. Wherefore it were fittest it should be commended to her Majesty, and so recommended unto us. And if I may do this Office and Service for the House, I will in all dutiful Loves and Service do it. But if the other course be taken, I fear the things sought will be denied for the violence used in it.

Then Mr Speaker said, In favour and free love, above my merits or desert, you have Elected me, which should bind me to do all my best Service, and to be faithful toward you. This Bill delivered me is long and containeth important matters of great weight, and such matters as cannot be expressed in four words. It hath many parts, and if you put me presently to open it, I cannot so readily understand it, and do it as I should; For indeed it is a matter far above my ordinary practice: and to deliver a thing before I conceive it, I could not. Wherefore if it would please you to give me leave to consider of it, I protest I will be faithful and keep it with all Secrecy.

Hereupon the House was in question, whether it should be committed to the Speaker only, or to the Privy-Council and him: but it was holden to be against the Order of the House that any Bill should be committed before it was read. Therefore upon a Motion made by Mr Wroth, it was agreed, that Mr Speaker should have it.

This Afternoon at two of the Clock Mr Speaker was sent for to the Court, where the Queen herself gave him Commandment to deliver unto the House and so the matter abruptly breaks off in the said Anonymous Journal, mentioned more particularly in the beginning of this present Journal, out of which all these afore said Speeches are inserted: But that which should here follow can be no more but only, that her Majesty did Command him to deliver a certain Message to the House the day following, which he did then perform accordingly: *Ut vide postea in fine diei sequentis.*

Finally, the last business of this Forenoon was the reading and committing of an ordinary Bill, which is inserted out of the Original Journal-Book it self.

The Bill lastly, that a Bar at large may be pleaded in an *Ejectione firme*, was upon the second reading committed unto Mr Edgecombe, Sir Henry Knivet, and the Serjeants at Law that are Members of the House, Mr. Attorney of the Wards and others, who were appointed to meet upon Thursday next at two of the Clock in the Afternoon at *Serjeants-Inn* in *Fleetstreet*.

On Wednesday the 28th day of February, the Bill for reducing of disloyal Subjects to their due Obedience, was read the second time.

Nota, That before this Bill was committed, divers spake unto it, which being omitted in the Original Journal-Book after the mentioning of the second reading thereof, I thought good to supply the said Speeches out of that Anonymous Journal so often before-mentioned; and the rather, because this Bill being against Popish Recusants, the said Speeches do contain matter of much weight in them.

Mr. Cradock (after the said Bill against Recusants had been opened by Mr. Speaker upon the second reading thereof) spake as followeth.

There is no man as I think so irreligious towards God, so unloyal towards her Majesty, so careless of the common Statutes, but thinks the Bill to be good, and the Law very necessary before it be Enacted: Yet it were fit every part of it were considered of and reformed. The thing to be reformed is this: The words of the Act being *Every person that shall receive a Recusant, &c.* And thus the Purvey being General, the good Subject may be grieved by this Law; and he that shall have but a Recusant in his Custody, shall be within the letter of the Law for receiving a Recusant into his House. Things to be considered are first, Whether it be good to deprive them of all their goods, for so we shall leave them no means of living. Secondly, Whether the Parties that be now Recusants being reconciled, if they fall into relapse and afterwards be newly reconciled again, shall be enabled to take benefit of their Lands and goods: for 'tis hard, if after their repenting they be not restored.

Then Mr. Philips Answering all Objections against the Bill, affirmed it sufficient in all points, and that neither the sence nor the letter could be prejudicial to the good Subject. Only he could have wisht it were provided that the Recusant should not use this Law to his benefit, by procuring Commons to be their Friends, and take Leases of their own Lands answering the Queens Title.

Mr. Finch made this Question, Whether those that came not to Church by reason of the dislike they had of the Church Government, shall be in like Case as a Recusant Papist.

Mr. Tichburn said he could have provided that the Father should not disinherit the Son, nor have power

power so to do for being made conformable by him that should have the bringing of him up.

Then Mr. *Nathanael Bacon* spake and said, The Children might not be committed to the Bishop of the Diocess, because their Chancellors are so much affected to the Canon Law, that some are infected with Popish Religion. Besides, the office of Bishops is to preach, and this duty in the one calling would not be hindred by other affairs committed to their care. Wherefore fitter it is, that the Justices of Assize should have the appointment of them.

Then said Sir *Edward Stafford*, it may be the Party is Enemy to him to whom the Child is committed, therefore the Commitment is to be by two or three.

Then Mr. *Wroth* spake as followeth. The Law hath no Proviso for Leases, no remedy is appointed, as by the distress or otherwise, how the Guardian is to come by the money appointed to him for the Custody of the Child of a Recusant. And it were fit to make a Proviso that no Party being next Heir to the Child should be his Guardian. And the Recusant not to forfeit ten pound a Month for the keeping of his Wife; otherwise for keeping of Servants Recusants.

After all these Speeches they agreed to have the Bill committed. But the Committees names are all omitted in the said Anonymous Journal, out of which these foresaid Speeches are inserted, and are therefore to be supplied out of the Original Journal-Book of the House of Commons, where they are set down in manner and form following, viz.

All the Privy Council, Sir *Thomas Cecil*, Sir *Walter Raleigh*, Sir *William Moore*, Mr *Feele*, Mr *Finch*, Mr *Wroth*, Mr *Greenfield*, Mr *Fulke Grevill*, Mr *Sands*, Mr *Cradock*, Sir *Francis Hastings*, Sir *Edward Stafford*, Mr *Morrice*, Mr *George Cary*, Mr *Peejam*, Mr *Tasborough*, Sir *Henry Unton*, Sir *William Bowes*, Sir *Moyle Finch*, Mr Attorney of the Dutchy, Mr *Alice*, Sir *Francis Vere*, Sir *Edward Dimock*, Mr. *Warren*, Mr *Lewes*, Mr. *Tanseild*, Mr. *Edw. Barker*, Mr. *Beale*, Mr. *Philips*, Mr. *Stephenson*, Mr *Lewkenor* Mr *Nat. Bacon*, Mr *Grimston*, Mr. *Fuller*, all the Serjeants at Law, Mr. *George Moore*, Sir *Thomas Wast*. Mr. Doctor *Cesar*, Mr. Doctor *Lewen*, Sir *Henry Cock*, Sir *Edward Cock*, Sir *Edward Hobby*, Mr. *Dier*, Mr. *John Cary*, Mr. *Emerson*, Sir *Thomas Shirley*, Mr. *Fanshaw*, Sir *John Harrington*, Sir *Henry Knivett*, Sir *Charles Candish*, and Sir *Francis Drake*. And the Bill was delivered to Mr. Serjeant *Telverton*, who with the rest was appointed to meet upon to Morrow next at two of the Clock in the Afternoon at Serjeants-Inn in Fleetstreet.

Mr. Chancellor of the Exchequer, one of the Committees in the great Cause for Consultation and provision of Treasure (appointed on Monday the 26th day of this instant February foregoing) shewed, that he and the residue of the Committees in that Case met yesterday in the After-

noon according to the Commission of this House, and upon Conference had amongst them for some convenient proportion of Treasure to be provided, did in the end agree, that two intire Subsidies and four Fifteenths and Tenth should be granted unto her Majesty, if this present House shall so think good. Upon which Report by him made, it was upon the question agreed unto by the whole House, that the same two intire Subsidies and four Fifteenths and Tenth should be granted unto her said Highness accordingly. Which done Mr. *Nathanael Bacon*, one also of the said Committees, put the House in remembrance, that at their said Conference in the said Committee it was moved by some of them, that the present necessity of the Causes now moving them to offer the said double Subsidy and double Fifteenths and Tenth, should be set down and inserted in the Bill for the granting thereof.

After this Speech of Mr. *Bacons* there is no particular mention of any other Speech which was spoken at this time touching this business in the Original Journal-Book of the House of Commons, and therefore these Speeches which follow are supplied out of another Anonymous Journal of the passages of this Parliament more particularly mentioned at the beginning of this present Journal.

Sir *Henry Knivett* spake, allowing the Subsidies, but withal desired these things: First, that it might be lawful for every Subject to annoy the King of *Spain* that would, that weak Forces might not be spent against him, but a Royal Army. That we should not wrastle with him on our own ground but abroad. Further, that all her Majesties debtors might be called in, and her Majesty to have power to sell all the Debtors Lands, of what State soever they were seized of. No Steward or Commissioner but to answer her Majesty the Royal Fines and Sums they received. All her Woods to be viewed, and the great Timber to be for sale, the Copy wood to be sold to encrease the Revenues. Licences granted to any to have benefit of penal Statutes, to be taken in; and the whole benefit of Inns and Alehouses to come to the Queen. A great benefit to come to the Queen by this new Statute against Recusants. Their Children to be committed to persons of sound Religion. The whole benefit of their relief and living to come to the Queen, deducting only charges for Education of Children.

Serjeant *Harris* agreed on the Subsidy because Parliaments were seldom, whereas by the Statute of 4 *Edm.* 3. they may be called every year. The Subsidies to be granted to maintain Wars; but whether it be War or no War, as yet we know not: And the things which we take from the Spaniard, is doubted by many not to be lawful prize. Therefore desires in the Subsidies to have it set down, that those Subsidies be to

maintain

maintain a War impulsive and defensive against the Spaniard.

Sir Walter Raleigh seconded his Speech, agreeing in all things with the Serjeant, and said, he knew many that held it not lawful in Conscience, as the time is, to take from the Spaniards: And he knew, that if it might be lawful and open War, there would be more voluntary hands to fight against the Spaniard, than the Queen should stand in need of to send to Sea.

Nota, That these aforesaid Speeches are all that are found in the forementioned Anonymous Journal, and therefore that which follows is made perfect out of the Original Journal-Book it self, in manner and form following, *viz.*

After the former and other like Speeches, in which also some had moved, that to make the Wars against the King of Spain and his Subjects lawful and warrantable, it should be inserted into the preamble of the said Bill [that so great and extraordinary supply was at this time given for the resisting of his power and preventing of his malice] it was Ordered by the House upon the question, that all the Serjeants at Law which are Members of this House, Mr. Heile, Mr. Phillips, Sir Walter Raleigh, Sir Francis Drake, Sir George Carey, Mr. Doctor Caesar, Mr. Doctor Ambery, Mr. Francis Bacon, Sir Francis Gudolphin, Mr. John Hare, Sir Thomas Conisby, Mr. Attorney of the Wards, Mr. Attorney of the Dutchy, Mr. John Trevor; Mr. Sands, Mr. Doctor Lewen, Mr. Beale, Sir Henry Untan and Mr. Ridisden should meet upon Saturday next at two of the Clock in the Afternoon in the Exchequer; for drawing the Articles and Preamble of the said Bill accordingly; to the end the same Articles and Preamble being considered of afterwards by this House, the same may be delivered by Mr. Speaker to her Majesties Learned Council for the framing and drawing of the said Bill.

Now in the next place there ensueth the Relation of her Majesties sending for the Speaker yesterday, and of the Message which she gave him in Command to deliver to the House; all which he declared at large this day, as it is very elaborately and fully set down in the Anonymous Journal mentioned more particularly at the beginning of this present Journal, and therefore it is wholly inserted out of it; and the rather, because it is almost wholly wanting in the Original Journal-Book it self, there being one whole blank Page and a good part of another Page left unwritten, with intention doubtless at first to have inserted it, although it was afterwards very negligently omitted by Mr. Fulke Onslow Clerk of the said House of Commons. It is therefore (as is aforesaid) very fitly supplied out of the Anonymous Journal in manner and form following, *viz.*

After these Speeches (before set down) touching the Subsidy, Mr Speaker stood up and said, That he had a Message to deliver from her Majesty to the said House.

Yesterday a great number of this House (after many Speeches used) delivered two Bills to me. Which Bills though not read, yet were diversly spoken of. They being long, the matters grave and of great importance, and the day being almost spent, I desired further time to consider of the parts of the Bills. I humbly thank this Honourable House, time was freely granted me. It being almost twelve of the Clock, I had perused and read both the Bills; I have them about me, and they have been continually with me ever since they were delivered unto me. Never any mans eye more than my own ever saw one word of them.

A little after I had perused the Bills, I was sent for by a special Messenger from her Majesty. Coming in her Royal presence, I was commanded to deliver these words from her most Excellent Majesty unto the Body of the Realm, for so she termed this House. The matter I have to speak is great, yea it is the greatest matter that ever I had to deal in. Wherefore I pray God to direct *mentem & linguam hanc*. I must be short, for her Majesties words were not many: And I may perhaps fail in the delivery of them. For though my Auditors be great, yet who is so impudent whom the presence of such a Majesty could not appal? And it did greatly fear me when I saw none of these honourable persons in her presence, who were present at the holding of the matter in this House. Yet God in his Providence had appointed it, That even in this while came in some of the persons here present, who if I fail in delivering what is given me in Charge, can report it unto you. And I am glad there are Witnesses with me in this Action, what was my faithful service for this House. I protest, a greater comfort never befel me, than that this my integrity and faithful promise to this House is not violated. For her Majesty in her most gracious Wisdom before my coming determined not to press me in this, neither indeed did she require the Bill of me; for this only she required of me, what were the things in the Bill spoken of by the House; which points I only delivered, as they that heard me can tell.

The Message delivered me from her Majesty consisteth in three things; First, The end for which the Parliament was called; Secondly, The Speech which the Lord Keeper used from her Majesty; Thirdly, What her Pleasure and Commandment now is. For the first, it is in me and my Power (I speak now in her Majesties Person) to call Parliaments, it is in my power to end and determine the same, it is in my power to assent or dissent to any thing done in Parliaments. The calling of this Parliament was only, that the Majesty of God might be more religiously served, and thote that neglect this service might be compelled by some sharp means to a more due Obedience, and more true service of God, than there hath been hitherto used. And further, that the Safety of her Majesties Person and of this Realm might be by all means possible provided for,

against

against our great Enemies the Pope and the King of Spain. Her Majesties Pleasure being then delivered unto us by the Lord Keeper, it was not meant we should meddle with matters of State, or Causes Ecclesiastical; for so her Majesty termed them. She wondred, that any could be of so high commandment to attempt (I use her own words) a thing so expressly contrary to that which she had forbidden. Wherefore with this she was highly offended. And because the words then spoken by my Lord Keeper are not now perhaps well remembred, or some be now here that were not then present, her Majesties present charge and expresse Commandment is, that no Bill touching the said matters of State or reformation in Causes Ecclesiastical be exhibited. And upon my Allegiance I am Commanded, if any such Bill be exhibited, not to read it, &c.

Thus far out of the said Anonymous Journal.

On *Thursday* the first day of *March*, Four Bills of no great moment had each of them one reading; of which the first being the Bill against Strangers born to sell by way of retail Foreign Wares brought into this Realm, was read the first time.

Mr. Serjeant *Telverton*, one of the Committees for the examination of the Election and Return of the Members of this House, and also of the Cases for Privilege, appointed on *Monday* the 26th day of *February* last past, happening to fall out during this present Sessions of Parliament shewed, that he and the residue of the Committees for those Causes did meet yesterday in the Afternoon (according to the Commission of this House to them in that behalf) and that having then some Cases brought unto them both touching Elections and Returns in sundry sorts, and also one Case of Privilege touching one Mr. *Fitzherbert*, Elected a Member into this House, and alledged to be Outlawed upon Judgment, shewed, that the greater number of the said Committees having travelled in these Cases, did impose upon him the Charge of making the Report thereof unto this House. Which because he would gladly do in such wise, as the more part of the said Committees had assented unto, he had set down the same (he said) in a Note for his better remembrance in writing. And so particularly recited the State of the said Cases treated of amongst the said Committees, and to be so reported over unto this House for the further resolution and order of this House to be had in the same. After which words, although there follow some four lines more in the Original Journal-Book of the House of Commons, (in which it is generally related, that the rest of this Forenoon was spent in the agitation of this and such like businesses;) yet because neither any particular relation of the Speeches in this business of Mr. *Fitzherbert*, or of those other aforesaid Passages handled in the said Committee touching Elections is there set down (although all the said matter be of very great weight and consequence) I have therefore supplied a great part of the same out of the afore-

said Anonymous Journal, more particularly mentioned at the beginning of this present Journal.

Where although all that part of Mr. Serjeant *Telvertons* Speech touching Mr. *Fitzherberts* Election be omitted (and which is before very happily supplied out of the Original Journal-Book itself) yet the rest or at least the greater part of his Relations before mentioned is set down, and is here inserted out of the same, with divers other Speeches used and uttered chiefly touching that Question. All which, (some alterations only excepted for order and explanation sake) are herein inserted out of the said Anonymous Journal in manner and form following, viz.

Serjeant *Telverton* spake further also, (after he had finished the Relation of the Committees proceeding touching Mr. *Fitzherberts* Election) concerning the privileges of the House. In which he declared the Case of the Burgeses of *Miscread* in *Cornwall*, after whose Election the Town refused to deliver up their Indenture to the Sheriff: But the party Elected made his Indenture and delivered it to the Clerk of the Crown, who filed it with the rest of the Indentures returned by the Sheriffs, the Sheriff having Indorsed it upon the Writ. But this Indenture was never executed by the Sheriff, and yet the Return was holden (by the Committees as it should seem) to be good.

Mr. *Heile*, who had been another also of the Committees spake next, and shewed the state of this and some other questions handled in that said Committee, which were as followeth, viz.

John, &c. is returned in the Indenture by the name of *Richard*, and whether this may not be amended by the House.

Mr. *Audeley* is returned Burgeses for two Towns, he having elected for which he will be, a New Writ is to be directed to the other Town to chuse another.

Two Burgeses are returned for one Town: One of the Burgeses being mistaken is willing to resign unto the other. Whether by the assent of the Sheriff and party this is to be done.

The Bailiff of *Southwark* electeth himself by the name of *Richard Hutton* Gentleman, and the Indenture returned by the Sheriff is *Richard Hutton* Bailiff, if this be good.

Thomas Fitzherbert of *Staffordshire* being Outlawed upon a *Capias utlagatum* after Judgment, is Elected Burgeses of this Parliament. Two hours after his Election, before the Indenture returned, The Sheriff arrested him upon this *Capias utlagatum*. The party is in Execution. Now he sendeth this Supplication to this House to have a Writ from the same to

Vide Holingsh. pag. 955. & 956. An excellent Case, of one *George Finers* a Burgeses of *Plimouth* in *Devonshire* in the Parliament An. 33 H. 8. Anno Dom. 1541. arrested and taken in Execution by the means of one *White*, and afterward had his privilege; as also of the *Temple-Cook*, who was Servant to Sir *Thomas Audley* once Speaker

of Parliament and after Lord Chancellor, who being arrested was freed. Which case was cited by King H. 8. himself.

be enlarged to have the Priviledge in this Cafe to be grantable.

He argued thus. That he was not Electable, because in the calling, and in the electing of parties called, there must be chosen

* Statute de 23 H. 6. Cap. 15. & 1 H. 5. Cap. 1. enact it.

Viri idonei *. But a man Outlawed is not *idoneus*, therefore not Electable. Considering this disability holds in all other Causes of Law, therefore in this that is the greatest.

He urged the Authority of 19 H. 7. four parties attainted moved to have their Attainders redressed before they can sit. There 'tis said a man Outlawed for forging false Deeds is not eligible to be of the Parliament.

Then Sir Edward Hobby spake as followeth. The party Outlawed is not out of his wits, therefore capable; and then is a man able to be chosen and *idoneus* to be a Burgeſs. Only a difference may be made where the Outlawry is for a Cause Criminal and for a Cause personal, as in this Cause. Is this disability greater? that a man Outlawed may not be a Burgeſs, as well as an Attorney to a man, or an Executor? I think it will stand with the privilege of this House to deliver him, though he were Outlawed.

Mr. Lewes said, that a man Outlawed cannot have privilege, being an Execution upon a *Capias*, *Quia frustra Legis auxilium implorat, qui in Legem peccat*. Cardinal Pool would not come into the Parliament House, till the Attainder against him was reversed.

Ignotus quidam. Multa sunt quæ fieri non debent, quæ tamen facta, tenentur bona. It had been a good exception against his Election to say he was Outlawed, but 'tis no disability to him being Electd.

Serjeant Yelverton said, he could not have the privilege being in Execution upon a *Capias utlagatum* after Judgment. The Book of 2 Edw. 4. 8. cited to be expressly so. And that a Judge reported unto him, that in 34 Hen. 8. a Burgeſs being arrested and in Execution upon a Statute, could not have privilege of the House.

Whereupon Mr. Finch said, he could not tell which to hold or which side to take. The Book of 20 Hen. 7. doth prove that there were Electd such as were Attainted, and that disability was taken against them. The Writ to chuse a Burgeſs is not *Legalem hominem*, but *Idoneum*: Therefore we ought not to be so strict as if he were to be challenged upon a Jury.

At the Common Law, Outlawry was only for Causes Criminal, as for Treason or Felony; but this Outlawry in Personal Causes is only by the Statute of 11 Hen. 4. which makes not so great a disability as that at the Common Law.

On the other side *Utlagatus ne Villein* cannot be a Champion, which is as a Judge to decide: then *à fortiori*, he can be no Judge in this House.

Outlawry is as an Attainder, therefore the party so stained is no competent Judge.

The great Charter is, all Tryals ought to be *per legales homines & parium suorum*. The Out-

lawed man is not of the number of *Parium*, so not to be a Judge. *Vide* 8 Edw. 3. *Utlagatus ne poiet estre*.

Mr. Broughton held, that a man Outlawed may be a Burgeſs. For in no case is Outlawry disability where a man is *en auter droit*, as to be Executor or Attorney, it is no Exception to the party. The Case in 38 Hen. 8. Dyer. 62. was cited.

Mr. Hall's man was delivered out of Execution the last Parliament by a *Mittimus* from the House.

And though the party be in Execution, if not at the Queens suit, he is to have the privilege; and yet the party not to lose his debt, nor the Sheriff to be charged. *Vide postea* April 5th Thursday.

Nota, That these Speeches are all transcribed out of the said Anonymous Journal, more particularly mentioned at the beginning of this present Journal. After which, by occasion of a Message sent down from the Lords, it should seem this business brake off abruptly at this time. And therefore see more concerning it on Friday the 2^d day, and on Saturday the 17th day of this Instant March ensuing; and on Monday the 19th day of the same.

The said Message is set down very exactly as it was sent from their Lordships (some things only being added for Order and Explanation in the transcribing of it) in the Original Journal-Book of the House of Commons in Manner and Form following.

Mr. Egerton, Attorney General, and Mr. Doctor Carey coming to the House with a Message from the Lords, were sent for in, and were brought up by the Serjeant making three low curtesies before they approached to the Speaker, and delivered their Message to him, which he afterwards propounded to the House. The Message which they brought from their Lordships unto the House was, that their Lordships did desire to put this House in remembrance of the Speeches delivered by the Lord Keeper upon the first day of this Parliament, for Consultation and provision of Treasure to be had against the great and eminent dangers and perils of this Realm, by the mighty adversaries and enemies of the same. And thereupon their Lordships did look to have heard something from this House touching those Causes before this time. And therefore had to that end hitherto omitted to do any thing therein themselves. And thereupon their said Lordships do desire, that according to the former laudable usages between both Houses, to wit, the Lords House and this House in such Cases, a Committee of some grave and settled Members of this House may be appointed to have Conference with a Committee of their Lordships touching the Causes aforesaid. Which done, the said Mr. Attorney and Mr. Doctor Carey being sequestred the House, Mr. Speaker making Report of the said Message to this House, it was presently resolved by the whole House, that

that such a Committee of this House should be selected thereupon for that purpose accordingly; with this request also from the House, That the said Mr Attorney General and Mr. Carey might both signify unto their Lordships the willing and ready assent of this House unto their Lordships said request, and also move their Lordships touching their pleasure for the number of the Committees to be appointed for their Lordships, and for the times and place of meeting, to be signified from their Lordships to this House; to the end thereupon this House may proceed to the selecting of a convenient number of this House for the said Conference accordingly. And then the said Mr. Attorney General and the said Mr. Doctor Carey being returned into this House again, Mr. Speaker delivered unto them their Answer and the request of this House unto their Lordships in manner aforesaid accordingly.

Mr. Attorney General and Mr. Doctor Carey do bring word from the Lords, that their Lordships do make choice of the number of twenty for their Committee, and that their Lordships do appoint two of the Clock this Afternoon for the time, and the Chamber next unto the Upper House of Parliament for the place. Which done, the said Master Attorney General and the said Mr. Doctor Carey being sequestred, and the said Message delivered unto this House by Mr. Speaker, it was agreed, that a convenient number of this House should be appointed to meet with the Committees of their Lordships at the said time and place accordingly. And then immediately the said Mr. Attorney General and Mr. Doctor Carey being called into this House again, the said Answer was delivered unto them by Mr. Speaker accordingly. Whereupon these Committees following were appointed to attend upon the Committees of the Lords in the said Conference at two of the Clock in the Afternoon of this present day in the Chamber next to the Upper House of Parliament, viz.

All the Privy-Council of this House being in number four, Serjeant Yelverton, Mr Dyer, Mr Sandes, Sir Henry Unton, Mr Wroth; Sir Henry Cocke, Sir Francis Hastings, Mr Fulk Grevill, Sir Henry Knivet, Sir William Moore, Mr Recorder of London, Mr Heyle, Mr Doctor Ambery, Mr Lewes, Mr Anthony Cooke, Sir Moyle Finch, Mr George Moore, Sir Francis Gudolphin, Mr Francis Bacon, Mr Doctor Ambery, Sir Thomas Shirley, Sir Thomas Stafford, Sir Thomas Conisby, Sir Edward Dymock, Mr John Hare, Mr Barker, Mr Trevor, Sir George Carey, Sir Thomas Cecill, Sir Walter Raleigh, Sir Francis Drake, Sir William Knowles, Sir Thomas Downys, Sir Henry Poole, Sir Thomas West, Sir Robert Sidney, Mr Tasborough, Mr Flowre, Sir John Payton, Mr William Haymond, Sir Edward Hobby, Sir John Harrington, Sir Thomas Read, Sir William Brunker, Mr Doctor Casar, Mr Lowkover, Mr Arty, Mr Robert Sackville, Sir Charles Canibell, Mr Nathanael Bacon, Mr Doctor Harriot, Mr Serjeant Harrey, Mr John Flamm, Sir George Peck, Mr Henry

Finch, Mr. Philips, Sir Thomas Flemming, Sir Nicholas Saunders, Mr. Humphrey Conisby, Sir Edward Grevill, Sir Christopher Blunt, Mr. Cradock, and Mr. Grimston.

The Committees in the Bill for reducing of disloyal Subjects to their due Obedience, whose names see before on *Wednesday* the 28th day of *February* last past, which should have met this present day in the Afternoon in this House, are appointed over to meet to Morrow next in the Afternoon at the said place.

On *Friday* the second day of *March* there was no other business entred upon but that of Mr. *Fitzherberts*, which being but shortly and imperfectly set down in the Original Journal-Book of the House of Commons, I thought good to transcribe the relation of the dispute therein had out of that often before-mentioned Anonymous Journal of the same House, in which some small things only being altered (for order sake) it is set down on this present *Friday* being the second day of *March* in manner and form following, viz.

After Prayers there was no Bill read, but presently Mr. *George Moore* spoke to the question of Mr. *Fitzherberts* Election being an Outlawed Person, and of his Arrest upon the *Capias utlagatum*, after he had been so Elected a Burgess of the House, and before the Indenture in that Case made had been returned unto the Sheriff. Upon all which matters considered of, his opinion was, that he ought not to have priviledge, nor to serve as a Member of this House.

Sir *Henry Knivet* spake next, and as it should seem spake for Mr. *Fitzherbert*, that he ought to have the priviledge of the House: But had never a new reason, only he took Exceptions that the priviledges of the House and the ancient Customs thereof were not observed; and that men gave nor Audience to them that spake, and pleased them not, but were ready to interrupt them.

Mr. *Tasborough*, Mr. *Stephenson*, Mr. *Bronker*, and Mr. *Sandes* spake severally also touching the same matter, disputing and arguing it *pro* and *con*, as well for his being as not being a Member of this House, as also for his having and not having the priviledge of this House; but they gave no other new reasons touching the said Case more than had been already delivered in a former dispute of the same, the day last immediately foregoing.

Mr. *Tanfeild* speaking next held, that a person Outlawed might be a Burgess of the House. Wherein he made a difference, where exception to the Burgess grew upon matter before the Election, and where after. If the exception grew after, then a Burgess Elected must not be one of the House. If exception be taken to the Election, and the Outlawry alledged to disqualifie him, the Statute of 23 Hen. 6. cap. 13. will disqualifie most of this House: for they ought not to be Burgess

ses now, if this be not a good Election. Thence it follows, that the party Elected is to have his privilege. And though the Common Law doth disable the party, yet the privilege of the House being urged, that prevaleth over the Law.

Then said Mr. Speaker, I desire that I may be heard a word, not that I have any Voice or assent to give, though I am of the House, but because I am a Servant to the House, and have somewhat to speak. It appertaineth to my duty and place, which I desire to have leave to utter, for my Speech shall not tend to meddle to decide the Question, but only to inform the House of my knowledge, and to do that duty which I think belongeth to my self.

The Questions delivered by the Committees were these two. First, Whether Mr. *Fitzherbert* were any Member of the House; And, secondly, If he were, whether to have the privilege? It hath been my manner ever since my first practice to observe strange learning, especially such as appertaineth to the Law, as in this of the privilege of this House, therefore I will inform what I have learned. First this Writ of privilege must go from the Body of this House, made by me, and I to send it into the Chancery, and the Lord Keeper is to direct it. Now before we make such a Writ, let us know whether by Law we may make it, or whether it will be good for the Cause or no. For my own part my hand shall not sign it, unless my heart may assent unto it. And though we make such a Writ, if it be not warrantable by Law and the proceeding of this House, the Lord Keeper will and must refuse it. No man shall stand more for the privilege of this House than I will, and what is the privilege of this House is meet should be observed. To the matter, first there hath been inforced her Majesties Commandment. I obey any Commandment of her Majesties, knowing them to be Great and Reverend, as far as any body. But I do not take it, that we have received any such Commandment; for her Majesties Commandment by the Lord Steward was to every man that stood Outlawed. We have no such Command.

Now whether a Man Outlawed may be a Burgefs, I hold it no question, but that a Man Outlawed, Attainted or Excommunicated, or not lawfully Elected, if he be returned, out of all doubt is a lawful Burgefs.

This is proved by Book Authority, and express Statutes, as that of 11 H. 4. Cap. 1. a. a Knight untried returned shall lose his Wages, therefore allowed by the Statute to be a Knight, though untruly returned, and the penalty is only to lose his Wages. Another Authority is in 8 H. 8. Cap. 10. And if we go to examine persons Elected to Parliament, we shall then dissolve all Parliaments, and call in question all former Laws made, by reason there were not lawful and able Law-Makers. If it appeareth once unto us by

Record, that such a Man is Burgefs, we must believe the Record and make no question of it. For if such matters shall be examinable by us, then must we try it by witness from the place where the fact was, and so shall those a great way hence be driven by witness to prove whether we be lawful Burgeffes or no; which will be very inconvenient. But matters of Record, such as appear unto us to be recorded, these are to be examined by us, for the Record is to be seen. So that for privilege I would grant it, if it were *sedente Parlamento, & eundo, redeundo, or manendo*, to every Member of this House. But the Cause with Mr. *Fitzherbert* being, that after his Election and before his Return he is Arrested and in Execution by a *Capias* after Judgment, whether this Man be to be privileged or no. I will but speak what I think, and what I have learned, and I have good precedents for. In this Cause he is not to have privilege. For the question is, whether the Sheriff be to take notice of this Nomination, or not before he is returned unto him Elected: And I think not, for it appeareth not unto the Sheriff before he is returned, whether he be Elected or not. So this Nomination is not a thing whereof he is tyed to take notice.

In *Ferris and Tenures Case*, in 38 H. 8. fol. 60. You may see this Case. *Thomas Thorp* 31 H. 6. was chosen Speaker of the Parliament, and after his Election and before the Parliament, upon a Suit betwixt the Duke of York and him, *Thorp* was taken in Arrest and put in Execution. Hereupon he put up his Petition to the House of Parliament to have the privilege. Upon the resolution of both Houses it was yielded he could not have the privilege of the House.

This was also in H. 6. time, and in 2 Ed. 4. fol. 8. I think; the opinion there of *Danby* is referred to this Cause. And because Mr. *Fitzherbert* stood Outlawed upon Judgment, a matter that is recorded, it were meet the whole cause were brought before us, that we might the better judge upon it. And I think this course best standing with the gravity of this House, before that we made out any Writ, to grant a *Habeas Corpus cum causa* returnable in Chancery, and the Sheriff to appear, the whole matter being transmitted out of the Chancery hither, we to judge upon the whole Record as it shall appear. And upon this Writ granted, the Sheriff bringing up the party, it shall be no escape in the Sheriff, nor the party shall not lose his Action of Debt though he be delivered.

This Course was well liked and the Motion agreed unto by the greater part of the House. *Vide Mar. 1. antea & Mar. 17. post, & Apr. 5.*

Thus far out of the before-mentioned Anonymous Journal touching the aforesaid Question, how far an Outlawed Man might be a Member of the House. The which and the further proceeding therein being by the Speaker interposing himself for this time reconciled, and upon the matter agreed upon, there followed the agitation of

of the great business touching the danger of the Realm, and supply to be given to her Majesty, which had been before treated of by two select Committees of either House, as may fully appear by the Report of that which was done at the said Committee made this day unto the House by Sir *Robert Cecil* who had been one of them. Which being very exactly set down in the Original Journal-Book it self of the said House; is inserted out of it in manner and form following, viz.

Sir *Robert Cecil* one of the Committees appointed by this House for Conference with the Committees of the Lords shewed, that he and the residue of the Committees of this House did yesterday in the Afternoon repair unto the said Committees of the Lords at the place appointed, where the Lord Treasurer of *England* in the name of the residue of the said Committees of the Lords shewed unto the Committees of this House the great and present need of provision of Treasure to be employed for the defence of the Realm against the Invasion of the great and mighty Enemies unto this Realm and State; and shewing further, that the double Subsidy and Fifteenths and Tenths lastly granted unto her Majesty, amounting but unto two hundred and fourscore thousand pounds, her Majesty hath nevertheless in these defensive Wars expended of her own Treasure alone ten hundred and thirty thousand pounds since the time of the granting of the said double Subsidy and of the said Fifteenths and Tenths. And that therefore their Lordships weighing the great present necessity of greater and more speedy supply of Treasure to be had than two intire Subsidies and four Fifteenths, do negatively affirm, That their Lordships will not give in any wise their assents to pass any Act in their House of less than three intire Subsidies to be paid in the three next years at two payments in every of the same years, the first to begin soon after the next *Easter*, and the second soon after the next *Michaelmas*, and so yearly after *Easter* and *Michaelmas* during the said three years. And that to what proportion of benevolence or unto how much their Lordships would give their assents in that behalf, they would not as then shew unto the said Committees of this House. But insisting for Conference again to be had he further urged, that this House might be moved to yield a greater supply. To which end he alledged, that the usual late Subsidies were very small, and were also imposed for the most part upon the meaner sort of her Majesties Subjects; declaring, that he knew one Shire of this Realm wherein there were many men of good living and countenance, but none of them in the said last Subsidies assessed at above fourscore pound Lands *per Annum*. And that in the City of *London* also, where the greatest part of the riches of the Realm are, there was no one assessed at above two hundred pound goods a man, and that not yet past above four or five

such. Which Speech in effect being ended, and in far better sort delivered than he had reported it, he in Conclusion referred the further consideration thereof to the gravity of the House.

Nota, That that which follows touching the Conclusion of this Forenoons business, as also touching the agitation of the aforesaid great matters, of the danger of the Realm, and of a proportionable supply to be given, which ensued in the House at the Committee in the Afternoon, are either very imperfectly set down or wholly omitted in the Original Journal-Book it self, and are therefore supplied out of the said Anonymous Journal more particularly mentioned at the beginning of this present Journal.

Mr *Francis Bacon* as soon as Sir *Robert Cecil* had made an end of the former report of the business handled at the said Committee, of which himself also had been one, spake next, and yielded to the Subsidy, but disliked that this House should join with the Upper House in the granting of it. For the Custom and Privilege of this House hath always been, first to make offer of the Subsidies from hence, then to the Upper House, except it were that they present a Bill unto this House, with desire of our assent thereto, and then to send it up again. And reason it is, that we should stand upon our privilege, seeing the burthen resteth upon us as the greatest number; nor is it reason the thanks should be theirs. And in joining with them in this Motion, we shall derogate from ours; for the thanks will be theirs and the blame ours, they being the first movers.

Wherefore I wish that in this Action we should proceed, as heretofore we have done, apart by our selves, and not join with their Lordships. And to satisfy them who expect an Answer from us to Morrow, some Answer would be made in some obsequious and dutiful manner.

And out of his Bosom he drew an Answer framed by himself to this effect: That they had considered of their Lordships Motion, and thought upon it as was fit, and in all willingness would address themselves to do as so great a Cause deserved. To join with them he said he could not, but with prejudice to the privilege of the said House. Wherefore he desired as they were wont, so that now they might proceed herein by themselves a part from their Lordships, and that they might do it without discontent. To this purpose he cited a precedent in *H. 8.* time, where four of the Lords came down into the House of Commons, and informed them what necessity there was of a Subsidy: And that thereupon the House took it to consideration a part by themselves, and at large granted it. By which it should seem that he did infer, that the Lords might indeed give notice unto the said House of Commons, what need or danger there was, but ought not to prescribe them what to give, as at

the meeting of the former Committee the Lord Treasurer had done.

Whereupon the House well approving the said Mr Bacon's Opinion, it was upon the Question Ordered, That the former Committees of this House in the same Cause (whose names see on *Thursday* the first day of this instant *March* foregoing) should meet here in this House at two of the Clock in the Afternoon of this present day, for framing of an Answer of this House to be made unto the said Motion of the said Committees of the Lords, and to make Report to Morrow in the Morning to this House of such their Answer so to be framed; to the end the same being agreed on and allowed by this whole House, may presently thereupon be signified unto the said Committee of the said Lords accordingly: for that the said Committees of this House did yesterday shew unto their Lordships, that their Lordships should then receive an Answer of this House unto their Lordships said Motion.

In the Afternoon of this present *Friday* aforesaid the Committees met in the House according as it had been Ordered in the Forenoon by the said House, and spent all the time in many good Discourses and Disputations for the Subsidy: But a great part thereof was spent in arguing what the matter was which was referred unto them by the House; whether a Subsidy should be yielded and that signified for an Answer from them to the Lords; Or whether the Committees were only to consider of an Answer according to Mr Bacon's Motion, That this House would alone by themselves consider of the Subsidy without joining.

These following spake for the Subsidy, especially enforcing the necessity of it.

Sir William Moore shewed, first, That her Majesty had more Cause to have the Subsidy than had *H. 8. E. 6. or Queen Mary*; for *H. 8.* his Wars continued not, though they were violent for the time. His Wars were impulsive and not defensive. He had the suppression of all the Abbies, a matter of great riches unto him. He had a Benevolence and then a Subsidy paid within three Months. *Edw. 6.* had Chantries and all the Church Plate for relief paid him. *Queen Mary* had a relief paid her, which she never repaid. But her Majesty that now is, hath been a continual defence of her own Realm and her Neighbours Kingdoms, *England, Ireland, France* and the *Low Countries*; yet hath she repaid the Loans, and had not such helps.

Sir George Carey said, I speak for the Subsidy, (first answering one that had said, we must regard them and their Estates for whom we be here) saying, he regarded and came for them as was meet; and they will more thank us for taking somewhat from them, than if we should abandon them and leave them and all that they have to the spoil of the Enemy; which will be, if with Forces we provide to withstand them.

For eminent dangers hang over our heads, and are intended to us this Summer. The Spaniard already hath sent seven thousand Pistolets of Gold into *Scotland* to corrupt the Nobility, and to the King twenty thousand Crowns now lately were dispatched out of *France* into *Scotland* for the Levying of three thousand, which the Scottish Lords have promised; and the King of *Spain* will Levy thirty thousand more, and give them all Pay. Her Majesty is determined to send Sir Francis Drake to Sea to encounter them with a great Navy. Wherefore this our danger is to be prevented, and those her Majesties infinite Charges by us to be supplied.

Sir Walter Raleigh spake for the Subsidy, not only (as he protested) to please the Queen, to whom he was infinitely bound above his deserts, but for the necessity he both saw and knew. He very well discovered the great strength of the King of *Spain*. And to shew his Mightiness, he told how he possessed ail the World. As also that his malice and ill purpose was evident to this Realm, he shewed how on every side he had beleaguered us.

In *Denmark* the King being young he had corrupted the Council and Nobility so as he was very like to speed himself of shipping from thence. In the Marine Towns of the *Low Countries*, and in *Norway* he laid in great store of shipping. In *France* he had the Parliament Towns at his Command. In *Brittany* he had all the best Havens. And in *Scotland* he had so corrupted the Nobility, that he had promised them Forces to re-establish Papistry. That they were ready to joyn with any Foreign Forces that would make them strong, to be by themselves and to resist others. For as he thought there were not six Gentlemen of that Country of one Religion. In his own Country there is all possible repairing, and he is coming with sixty Gallies besides other Shipping with purpose to annoy us. We must then have no Ships (if he invade us) riding at Anchor, all will be little enough to withstand him. At his coming he fully determineth to get *Plymouth*, or at least to possess some of the Havens this Summer within our Land. And *Plymouth* is a place of most danger, for no Ordnance can be carried thither to remove him, the passages will not give leave. Now the way to defeat him is this, to send a Royal Army to supplant him in *Brittany*, and to possess our selves there: And to send a strong Navy to Sea, and to lye with it upon the *Cape* and such places as his Ships bring his Riches to, that they may set upon all that come. This we are able to do, and undoubtedly with fortunate success if we undertake it.

Thus far out of the aforesaid Anonymous Journal. That which next follows is out of the Original Journal-Book it self.

On *Saturday* the third day of *March*, Sir Henry Knivett entred into a discourse touching the priviledge of this House, of ancient time used and

and accustomed, for the convening of any person into this Court; thinking for his Opinion, that Mr *Fitzherbert* is rather to be called to appear in this House by the Serjeants Mace of this House, than by any Writ of the Chancery. And so entering into a recital of *George Ferrers* his Case, was put in remembrance by Mr Speaker, that the manner for the bringing in of the said Mr *Fitzherbert* had received the Order of this House yesterday, and was therefore now neither to be recalled nor further treated of by this House, till the appearance of the said Mr *Fitzherbert* be first here made in this House according to the said former Order for the same.

Sir *Robert Cecil*, one of the Committees for the framing of an Answer of this House to be made to the motion of the Lords concerning the Subsidy did meet yesterday in the Afternoon, and having had much speech and many Arguments, did not as then conclude or resolve of any form of Answer at all; for that sundry of the same Committees then seemed diversly to conceive of the substance of the matter delivered to them in Charge by this House, some conceiving it to tend only to the Consideration of the said Note read by the said Mr *Francis Bacon* and no further; and some again, that their Commission was to treat generally of such a form of Answer unto the said Motion, as the more part of the same Committees should think fittest, and the same afterwards to be reported to this House, and referred further to the consideration of this House, to be liked of or not liked of at their pleasure. And shewed further, that he and the residue of the said Committees, had met together again this Morning, and that the most part of the said Committees had for their parts yielded to grant Conference with the Lords, if this House should so think good, and had appointed him to signify the same unto this House in the name of the said most part of the said Committees, which he said he had now done according to their charge which they had imposed upon him. And so referring his said report to the censure of the residue of the more part of the said Committees he ended his Speech.

Mr *Wroth* one other of the said Committees, not any way excepting to any part of the said Report made by the said Sir *Robert Cecil* so as before resolved by the more part of the said Committees for yielding of Conference unto the Lords, shewed, that he for his own part being also one of the said Committees, did not at that time give his assent, neither yet now doth, that any Conference should be had with the Lords in the said Case, for that in his opinion the same would be much prejudicial to the Ancient Liberties and Priviledges of this House, and to the Authority of the same.

Mr *Beale* likewise shewing himself to be of the same mind with Mr *Wroth*, and insisting upon the preservation and maintenance, of the

former usual and ancient Liberties and Priviledges of this House in treating of Subsidies, Contributions and other like benevolences amongst themselves, without any Conference therein at all had or used with the Lords of the Higher House, doth give an instance of a former precedent in the like Case; and offered to shew forth the same precedent to this House, which (being omitted in the Original Journal-Book it self, is here inserted out of the aforesaid Anonymous Journal more particularly mentioned at the beginning of this present Journal, and) was as followeth. In Anno nono H. 4. the two Houses being divided about the Subsidy, and the Higher House desiring a greater Subsidy than was granted by the Lower House; hereupon twelve that were sent as Committees to the Lords came down, and informed what was desired by the Upper House; namely a greater Subsidy, and to that end Conference to be had with them of the House of Commons. The Commons thought themselves grieved therewith, and so returned their Answer that they would consider what was meet to be done in so general a matter, but thought the Conference a Derogation to the priviledge of the House. Hereupon the King Answered, that he could not, neither was it fit to violate the priviledge of his Commons, but in all things thought it just to prefer them. Which said precedent being thus inserted out of the Anonymous Journal, the rest that followeth is continued out of the Original Journal-Book it self taken in the House and committed to writing by Mr *Fulk Onslow* at this time Clerk of the House of Commons. For it should seem, the Speaker and the greater part of the House very well approving, and being satisfied fully with the aforesaid precedent cited by Mr *Beale*, yet those of her Majesties Privy Council and the Courtiers also at this time of the House were still earnest for admitting of a Conference with the Lords. And thereupon

Sir *Robert Cecil* spake again, and did put the House in remembrance of the great and urgent necessity for the speedy prevention and avoiding of the great and eminent perils and dangers of this Realm and State, to be effected both by Consultation and also by provision of Treasure; and thinketh good that Conference of this House were had with the Lords as a matter very behoofful: Especially for that their Lordships some of them being of her Majesties Privy-Council do know both the purposes and strength of the Enemies on the one side, and also her Majesties present store of Treasure more or less, on the other side; much better than those of this House do. Resolveth for his own Opinion still to give his consent that Conference be had therein with the Lords, by the Committee of this House according to their Lordships said former Motion and request for the same.

Sir *William Brunker* stood up, and reading the said great present necessity of consultation and

provision, and that it cannot be otherwise, but that the proportion of convenient supply of Treasure answerable to the greatness of the dangers which are imminent, must needs require a greater Mass of Treasure to be had, than hath been as yet treated of in any resolution by this House. And then the Question being urged and by the Order of the House propounded, whether Conference should be had with the Lords, upon the Motion of the Committees of the Lords to the Committees of this House in this Case or no, it was upon the doubtfulness of the Voices, twice given upon the Question thereof twice propounded, resolved upon the division of the House; That no such Conference should be had with the said Committees of the Lords, by the said Committees of this House; for the number of them which were for the said Conference, and said I, went out of the said House, and were found to be in number but a hundred twenty eight, whereas those that were against the said Conference and said No, sate still in the House being in number two hundred and seventeen. So that the matter was over-ruled by eighty nine Voices; with which the Order and Judgment of the whole House went thereupon accordingly.

Mr Serjeant *Fleetwood* and Mr Doctor *Ford* do bring from the Lords a Bill intituled an Act for the better assurance and confirmation of the Jointure of the Lady *Margaret Countess of Cumberland*.

After the delivery of this Bill thus sent from the Lords the House proceeded in the further agitation of the foregoing great business which by the bringing down of the last mentioned Bill from their Lordships had been a while interrupted. For it having been already over-ruled by the House, that there should be no Conference admitted with the Lords touching the matter of the Subsidy, which their Lordships had desired, it was therefore Ordered upon a Motion made in the House, that some Answer might presently be sent from thence to their Lordships to satisfy them touching their said Motion for Conference; for that in respect the said Conference had been already denied and had been voted to be prejudicial to the Liberties of the House by the Judgment of the same, that a convenient number of this House should be appointed presently in the name of this whole House to give unto their Lordships most humble and dutiful thanks with all due reverence for their said Lordships good, favourable and courteous offer of Conference with this House in the said Cause; and to signify unto their Lordships, that this House cannot in those Cases of Benevolence or Contribution join in Conference with their Lordships without prejudice to the Liberties and Priviledges of this House, and of the infringing of the same: and therefore do in most humble wise request and desire their good Lordships to hold the Members of this House excused in their not assenting unto their Lordships said Motion for Conference; for that so to have assented without a Bill, had been

contrary to the Liberties and Priviledges of this House, and contrary also to the former precedents of the same House in like Case had. Which done, all the former Committees of this House were presently appointed to declare the said Answer of this House unto their Lordships, and Mr Chancellor of the Exchequer appointed to declare the same. And for this purpose were nominated and chosen

All the Privy-Council now in this House being four, Sir *Henry Unton*, Mr *Wroth*, Mr *Beale*, Sir *William Bruncker*, Sir *Walter Raleigh*, Sir *Charles Cavendish*, Sir *Edward Hobby*, Sir *Thomas Cecill*, Sir *George Carey*, Sir *Robert Sidney*, Sir *Thomas West*, Mr *Anthony Cooke*, Mr *Tasborough*, Sir *William Moore*, Mr *George Moore*, Mr Serjeant *Telverton*, Sir *Francis Drake*, Sir *Francis Hastings*, Sir *William Knowles*, Sir *Fulk Griffin*, Mr *William Haward*, Sir *Charles Blunt*, Sir *John Harrington*, Mr *Herbert Master of Requests*, Mr *Arthur George*, Sir *Thomas Conisby*, Mr *Dyer*, Mr Doctor *Ambery*, Mr *Edward Barker*, Mr *Robert Sackville*, Sir *Henry Poole*, Sir *Edward Stafford*, Sir *Thomas Read*, Sir *Henry Cock*, Mr *Lewkenor*, Sir *John Points* and Sir *Edward Carey*, who forthwith went up to the Lords of the Upper House with the Message of the said Answer accordingly. And shortly after returning again from thence to this House the said Mr Chancellor of the Exchequer made report of their delivery of the said Answer to the Lords; and shewed, that their Lordships well hoped to have had Conference with this House, according to their former request. And so wished this House to have due care and great consideration touching the speedy provision of a convenient supply of treasure to be had according to the present great necessity of the said Cause. And shewed, that their Lordships desired to see those precedents of this House, by which this House seemeth to refuse the said Conference. And so gave end to his Speech for that time.

One being no Member of this House, and yet found to have sitten in this House, during the greater part of this Forenoon, was brought to the Bar, and being there examined by Mr Speaker of his name and place of abode; answered his name to be *John Legg*, and that he was Servant to the Earl of *Northumberland*; and pleading simplicity and ignorance for his excuse, and alledging that he had some business to do with Mr Doctor *Herbert Master of the Requests* from the said Earl his Master, and that therefore he entred into the said House, not thinking any harm nor knowing the danger thereof. And so humbly praying pardon, was in the end committed to the Custody of the Serjeant of this House, till this House shall upon further Examination of the matter take other Order.

The Bill for Naturalizing of *William Sidney* and *Peregrine Wingfield* was twice read, and upon the Question was Ordered to be ingrossed.

Four Bills also had each of them one reading; of which the second being the Bill touching
George

George Ognell Esquire had its first reading. The substance whereof is taken out of the aforesaid Anonymous Journal (more particularly mentioned at the beginning of this present Journal) in manner and form following, viz.

One Trussell having sold the Mannor of *Binsley* to Ognell for good consideration, and afterwards of purpose to defeat this Purchase, caused himself to be Indicted of Felony done in *Kent* before the Seal to Ognell, and was thereof Attainted, and with relation of the Felony defeated Ognells purchase; It was Enacted, that this Attainder should be void only as in respect of this Purchase, and to that end to be as if Trussell had never been Attainted, nor no Lords to have any Escheats or other by reason of this Attainder. Her Majesty understanding this, was pleased to remit her Interest.

Mr Speaker perceiving some men to whisper together, said, that it was not the manner of the House, that any should whisper or talk secretly, for here only publick Speeches are to be used.

Nota, that these two particulars are only supplied out of the aforesaid Anonymous Journal, and that which followeth and also that which went before, is inserted out of the Original Journal-Book it self.

Sir Edward Dymock moved, that a Committee of this House may be appointed for a speedy Conference to be had touching the present necessary provision and Supply of Treasure to be had for the defence of this Realm, and State. And thereupon the former Committees for the Subsidy (whose names see before on *Monday* the 26th day of *February* last past) were ordered to meet upon *Monday* next at two of the Clock in the Afternoon in this House, to confer in this Case.

On *Monday* the 5th day of *March*, Two Bills of no great moment had each of them one reading; of which the second being the Bill against the stealing of Oxen, Kine, Sheep and Lambs, was upon the second reading committed unto Mr Wroth, Mr Sands, Mr Recorder of London and others; and the Bill was delivered to Mr Wroth, who with the rest was appointed to meet in this House to Morrow at two of the Clock in the Afternoon.

The Bill concerning salted Fish and salted Herrings was read the second time, and thereupon committed unto Sir Francis Drake, Sir Thomas Sherley, the Burgesses of *Tarmouth*, *Plymouth*, *Hull* and *Saltaish*, the Burgesses of all the Port Towns, Mr. Robert Wroth, Sir Henry Knivett and others; and the Bill was delivered to Mr. Wroth, who with the rest was appointed to meet upon *Wednesday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

Nota, That after the Commitment of these Bills ensued divers Speeches touching that great business of Conference, with the Lords which had been very largely debated on *Saturday* last in the

House. All which said Speeches being either very shortly and imperfectly set down in the Original Journal-Book of the House of Commons, or wholly omitted, and for which three intire pages and more are there left Blank to have inserted them (in which are set down the names only of some of those that spake them) therefore they are supplied out of the aforesaid Anonymous Journal very elaborately taken by some Member of the said House during this Parliament, and do here next ensue in manner and form following.

Mr. Beale desired to satisfy the House, by reason it was conceived by the Lords the other day, that upon his Motion, and by his precedent shewed, the House was led to deny a Conference with the Lords, he acknowledged he had mistaken the question propounded. For there being but a Conference desired by the Lords, and no confirming of any thing they had done, he thought we might, and it was fit we should confer. And to this end only he shewed the Precedent, That in the 9th year of *H. 4.* the Commons having granted a Subsidy, which the Lords thought too little, and they agreed to a greater and would have the Commons to confirm that which they had done; this the Commons thought they could not do without prejudice to this House. Wherefore he acknowledged himself mistaken in the Question, and desired if any were led by him, to be satisfied, for that he would have been of another opinion if he had conceived the matter as it was meant.

Sir Thomas Heneage propounded the Question anew, and thought that with the priviledge of the House, and by precedents to be shewed, there had been Conference with the Lords used upon the like Motion.

Sir John Wolley thought that the former denial grew upon mistaking of the Question, and upon better consideration would have the matter reversed, and now to assent to that which was denied before.

Sir Henry Knivett moved, that for the freedom of the House it might be concluded amongst them a matter answerable at the Bar, for any man to report any thing of any Speech used, or matters done in this House.

Sir Henry Upton spake in defence of the former proceedings of the House, and shewed how it had proceeded; first agreeing to a double Subsidy and four Fifteenths, this being offered, and the Lords thinking it seemed little, and considering the present necessity, the lack of payment of Subsidies, and the true rating of Subsidies, over that they were wont to be, they desired a Conference with the Lower House, giving reasons of great Importance for a greater aid; and they gave us a taste of what was needful, as three Subsidies at the least; and upon those great Causes desired a Conference the next day. This being delivered unto the House by one of the Committees sent to the Lords, the House upon Con-

Consideration thought it not to stand with their Priviledge to confer with their Lordships in matter of Subsidies, because it was the liberty of the House to make Offer themselves to her Majesty. And in regard it stood not with the Priviledge of this House to confer with the Lords, hereupon they advise upon an Answer to be made unto the Lords, wherein they should give them thanks that they had vouchsafed to confer with them of this House; but shewed, that with the Priviledge of the House they could not have Conference with them in matter of Subsidy.

Further he thought the House much injured, that they should be reported to be against the Subsidy; and the Parties injured who speaking the last day against the Subsidy, their names were given up, and were noted for it to the Queen.

And now my Motion is, that we must confer with the Lords upon the Subsidy, but not in any sort to be conformed therein unto them. And for that occasion past, he desired that Mr Speaker might be sent and report the truth of the whole matter and manner of our proceedings.

Sir Robert Cecil spake next and said, I desire now I may be somewhat long, because I must include an Answer to three Speeches. Those two Honourable Persons that sit above, the one of them declared the true state of the Question, the other what was fit we should do. But my Answer shall tend only to those Tales that followed. The first was a kind of satisfaction for a former mistaking; but in the same satisfaction a new mistaking was also; which was by way of information, casting it into the House, that the Queen should seem to demand three Subsidies. Now the Queen never demanded three, nor one. So there is a new mistaking added to the former satisfaction.

The second Mans Motion thus far I allow, That the Counsel of this House be secretly kept, and that nothing be reported *in malam partem*: But if his meaning be, that we may not impart any thing that is done here unto the Queen, but that all things must be secret from her, I am altogether against it. This only I should desire, what ought to be observed, That nothing ought to be reported unto her *in malam partem*.

The third Mans Motion consisted of three points. The first was News, the second was History, and the third and last a Motion. His News was, that Mens names were given up to the Queen. This was News. For I heard it not before. The History was a large Report of the Progress of this matter. His Motion was, that we should confer with the Lords about a Subsidy with them, but not conclude a Subsidy with them. His matter seems contrary to his meaning, or else is more than ever was meant; for it was never desired of us by the Lords, that we should confer with them about a Subsidy.

Sir Walter Raleigh spake next and moved, that seeing the division of the House the last day grew as he conceived upon the mistaking of the question, and that since some had reported unto him, that had the question been propounded whether they should only yield to a Conference in general with the Lords, they would not have been against it; and therefore he desired Mr Speaker to put it to the Question, whether they should confer with the Lords generally or not, without naming a Subsidy. This Motion being well liked, Sir Walter Raleigh was desired by the House to repeat it again, that so it might be the better heard of them all. And thereupon he said, that touching the aforesaid question which had received a No upon *Saturday* last foregoing, he would not make it a Question again, for by the Order of the House he could not; but propounded this for a new Question in these or the like words, Whether the House would be pleased to have general Conference with the Lords touching the great imminent dangers of the Realm and State, and the present necessary supply of Treasure to be provided speedily for the same according to the proportion of the necessity. Which said Question being propounded unto the House, it was assented unto accordingly by them all without any negative Voice.

And thereupon the former Committees appointed for Conference with their Lordships (whose names see before on *Thursday* the first day of this Instant *March*) were presently sent up from this House unto their Lordships to signify the resolution of this House in yielding to the said general Conference with their Lordships according to their former desire. And that Sir Thomas Heneage her Majesties Vice-Chamberlain should make report thereof from this House unto their said Lordships.

Thus far out of the aforesaid Anonymous Journal; that which followeth is inserted out of the Original Journal-Book it self.

Upon a Motion made by Mr Serjeant Harris for the Order of this House for setting at liberty of John Legg Servant to the Earl of Northumberland, who was found sitting in this House upon *Saturday* last and is no Member of the same, and was thereupon committed to the Serjeants Ward till further Order should be taken with him by this House; the Serjeant of this House is appointed to have the said John Legg here to Morrow Morning.

The Bill touching the true assizing of Bread had the second reading, and was committed to the former Committees in the Bill concerning salted Fish, and salted Herrings (appointed in the beginning of this present day) and to meet at the same time and place, as for the said Bill touching salted Fish and salted Herrings is appointed, And the Bill was delivered to Mr Wroth one of the said Committees.

The Bill for Naturalizing of Samuel Saltingball and others born beyond the Seas was upon the second reading committed to Mr Treasurer,

Sir

Sir *Thomas West*, Mr Recorder of *London*, Sir *Henry Knivet* and others, and the Bill was delivered to Sir *Thomas West*, who with the rest was appointed to meet upon *Wednesday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr Vice-Chamberlain and the residue of the Committees making their return from the Lords, he shewed their Lordships ready good will in accepting the offer of Conference of this House with their Lordships. And their Lordships have appointed for that purpose a Committee of two and twenty of themselves to join in Conference with the Committee of this House, and have appointed the place to be in the Chamber next to the Upper House of Parliament, and the time to be to Morrow at two of the Clock in the Afternoon. And thereupon the Committee of this House appointed to have conferred amongst themselves for the matter of the Subsidy this present Afternoon in this House, are appointed to defer their further consultation therein, until the said other Committees of this House appointed for the said general Conference with the Lords shall have further acquainted this House of their travail and treaty to be first had with the said Committees of the Lords. And also the meeting of the Committees in the Bill for reducing of disloyal Subjects to their due obedience is now signified to the same Committees to be held in the Afternoon of this present day in this place.

On *Tuesday* the 6th day of *March*, Two Bills of no great moment had each of them one reading; of which the second being the Bill for Confirmation of Letters Patents granted to the Mayor, Sheriffs, Citizens and Commonalty of the City of *Lincoln* was read the second time.

Sir *Edward Hobby* one of the Committees for Returns and Priviledges shewed, that for the Borough of *Camelford* in the County of *Cornwall*, one *Richard Leech* was returned to the Sheriff for a Burgeß by a false Return: And that afterwards Sir *George Carew* Knight, was returned Burgeß by the true Return. And alledging that the said *Richard Leech* offered to yield the place to Sir *George Carew*, moved the Order of this House therein. And thereupon Mr Speaker was appointed to move the Lord Keeper in the said Case for his Order, either in the allowance of the said Sir *George Carew* in the place of the said *Richard Leech*, or else in awarding a new Writ for the chusing another at his Lordships pleasure. And so for his Lordships Order in the Case of the Burgeß returned for the Borough of *Southwark*, in the allowance of *Richard Hutton* already returned, or else in awarding of a new Writ for chusing of another at his Lordships pleasure. And so also for his Lordships Order in altering the name of *John Dudley* to the name of *Thomas Dudley* in the Return of one of the Burgeßes of *Newtown* in the County of *Southampton*, or else to award a new Writ at his Lordships pleasure.

The Bill against Aliens born to sell by way of retail Foreign Wares brought into this Realm, was upon the second reading committed unto Sir *John Wolley*, Sir *Edward Stafford*, Sir *Robert Sidney*, Mr Recorder of *London* and others, who were appointed to meet upon *Thursday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

The Bill touching Mr *Read Stafford*, &c. was upon the second reading committed unto Mr *Heyle*, Sir *Edward Stafford*, Sir *Henry Umpton*, Sir *Thomas West* and others, who were appointed to meet upon *Monday* next at two of the Clock in the Afternoon in the Star Chamber.

Mr Vice-Chamberlain putting the House in remembrance of their resolution yesterday for praying Conference with their Lordships touching the great dangers and necessary remedies to be considered of, and which was then so signified unto their Lordships by the House, which return from their Lordships of the time and place appointed by them for that Conference, being at two of the Clock in the Afternoon this present day, in the Chamber next to the Upper House of Parliament, moved that it may be presently resolved in this House, wherein and how far the said Committees of this House shall have Warrant to treat with the Committees of the Lords. It was after many Speeches of sundry Members of this House very well delivered to divers effects and purposes resolved and agreed by the whole House upon the Question, that the said Committees of the House should have Authority to confer with the said Committees of the Lords generally concerning the said dangers and remedies as occasion should serve: But not in any manner of wise to conclude or resolve of any thing in the said Conference particularly, without the further privity or assent of this whole House to be had in that behalf, upon the report of the said Committees to be first made unto this House of their Proceedings in the said Conference to be had this present day as aforesaid.

Nota, That there is no more found of this days Passages in the Original Journal-Book of the House of Commons, although there be almost two pages left blank by Mr *Fulk Onslow* at this time Clerk of the said House, with intention doubtless at the first to have inserted them, and therefore they are very largely and fully supplied out of the aforesaid Anonymous Journal very elaborately taken by some Member of the same House during this Parliament, where it appeareth that after the aforesaid Speech of Sir *Thomas Heneage* her Majesties Vice-Chamberlain, Mr *Oliver St John* spake next in the manner and form following.

Mr *Oliver St John* said, he thought that Mr Vice-Chamberlain did mistake the thing we agreed upon, that we went not to confer with their Lordships in any thing that we had to deliver, but to understand of things from them,

the Conference being offered from them and not from us.

Sir *Walter Raleigh* Answered Mr *St John*, that he mistook Mr Vice-Chamberlain, and the thing agreed by the House; for we agreed all to a general Conference, but not in particular for the Subsidy, for this we refused. If we confer generally, it must be of our dangers, and of the remedies, which must be by means; if of means, it must be of Money and Aid. So our Conference must needs be of Subsidy, or rather Aid; but to agree upon this with any resolution either in the matter or substance, it is not our meaning.

Sir *Robert Cecil* answered Mr *St John*, that he mistaking Mr Vice-Chamberlain, did wrong him in saying he delivered the Message insufficiently or untruly, and so would have the priviledge of the House; and that it should be delivered by the Committees whether Mr Vice-Chamberlain did report truly; and if truly, then Mr *St John* to answer it: and so said Sir *John Woolley*.

The House having cleared Sir *Thomas Heneage* Vice-Chamberlain, he said he would have no other satisfaction than to be cleared by the House. And protested, he thought no ill of the Gentleman, but allowed him for speaking as he thought.

Sir *Henry Umpton* agreed to the Conference, and was glad the last days No and this were so well concluded; and moved, that we might not be deprived of thanks, to agree unto a treble Subsidy before we went to confer.

Mr *Frowick Grevill* said: There are two scruples in the House, which I would gladly satisfy; the one the priviledge of the House, the other the poverty of the people. For Precedents they are but Examples of things past. Now every Example ought to be stronger than the thing we fear: for if the thing be otherwise and our necessity greater, the former doings are no Rules to us. And so Precedents as they are not to be rejected, so they ought not to be Eternal. For the poverty of our Country, we have no reason to think it poor, our sumptuousness in Apparel, in Plate and in all things, argueth our riches. And our dearth of every thing amongst us, sheweth plenty of Money. But it is said, our Countries are poor, and we must respect them that sent us hither. Why, so we must also remember who sent for us hither. This Cause is hard; for there is necessity against necessity, danger against danger, and inward discontent against outward Forces. The poor are grieved by being overcharged; this must be helped by increasing our own Burthen; for otherwise the weak feet will complain of too heavy a body; that is to be feared. If the feet knew their strength as we know their oppression, they would not bear as they do. But to answer them, it sufficeth that the time requireth it. And in a Prince power will command. To satisfy them, they cannot think we overcharge them,

when we charge our selves with them and above them: But if nothing will satisfy them, our doings are sufficient to bind them. If the multitudes of Parliaments be remembered heretofore, many Subsidies now in one Parliament cannot seem burthensome. The more Laws we make, the less liberty we have to our selves. And now one word for my self, if my Speech hath offended, excuse me, I will not often trouble you hereafter.

Mr Speaker said, I do not desire to be thought arrogant, for the thing which I will speak shall be out of duty belonging to my place. Because I see many Speeches grow upon mistaking, and one Speech mistaken to cause another mistaking, & sic undam gignere undam, and so a great deal of time lost in words; hereafter I will be bold, if any man mistake in the point of a Bill, to tell him of it before his Speech proceed; for this Question of conferring with the Lords has taken up so much time only by mistaking; for 'tis granted by the House to have a General Conference.

They that should confer had need be authorized and instructed what to confer upon; for he that hath but *delegatam Potestatem*, will think nothing *Promissum* that is not *Commisum*; and 'tis certain *non utile est, ubi nulla est curatio morbi*. Therefore understand what is needful to confer upon.

The question upon the Return of the Burgeses of *Southwark* and for mending a Return in an Indenture, were referred unto Mr Speaker to inform the Lord Keeper thereof.

No Return can be amended in this House. For the Writ and Return are in Chancery and must be amended there. And in the Chancery this is the Rule, if the Sirname or the proper name of a party be mistaken in the Return, the Lord Keeper will not amend it; for such tender consideration is had of the free Election by the Corporations, as no Information shall be credited against the Return, but the Lord Keeper will first make out a Writ reciting the mistaking in the former Return, and then they by the same Writ shall have Authority to make a new Election. Thus far out of the aforesaid Anonymous Journal.

On Wednesday the 7th day of March, Sir *Edward Hobby* moving the Cause of Mr *Fitzherbert* his bringing up unto this House by a Writ of *Habeas Corpus cum causa* from the Lord Keeper, sheweth, That he hath moved the Lord Keeper touching the said Writ, and that his Lordship thinketh best in regard of the Ancient Liberties and Priviledges of this House, that a Serjeant at Armes be sent by Order of this House for the said Mr *Fitzherbert* at his own Charge, by reason whereof he may be brought hither to this House, without peril of further being Arrested by the way, and the state of this Cause to be considered of and examined when he shall be come hither: Which was thereupon well liked and allowed by this House.

Three Bills had each of them one reading; of which the second concerning the lawful deprivation of *Edward Bonner* late Bishop of *London*, was read the second time.

John Legg Prisoner at the Bar Servant to the Earl of *Northumberland* (as he saith) after a good Exhortation given him by Mr Speaker, and the Oath of Supremacy pronounced by him at the Bar, is upon his humble Submission and craving of Pardon set at liberty of his Imprisonment by the Order of this House, paying his Fees. *Vide on Saturday March* the third foregoing.

The Bill for Confirmation of the Jointure of the Lady *Margaret* Countess of *Cumberland* had its third reading; and thereupon it was moved by some, that it might now pass the House, and be sent up also to their Lordships: but others took Exceptions thereat, because the Bill had not been as yet spoken unto. Whereupon because it could not now be committed after the third reading, it was by the Order of the House agreed, that it should be spoken unto to Morrow, and afterwards pass the House, or be dashed as the Case it self should require.

The Bill for Naturalizing of *William Sidney* and *Peregrine Wingfield*, was sent up to the Lords by Mr Treasurer and others.

Mr Serjeant *Snagg* and Mr Serjeant *Fleetwood* do bring the Lords two Bills; the one Intituled an Act against Counterfeiting of Councillors or principal Officers hands; and the other Intituled an Act to confirm the sale of the Lands of Mr *Raven* Gentleman, made unto *Lisle Cave*, *Thomas Andrewes* and *Edward Haslerigg* Esquires, towards the payment of a Debt due unto her Majesty.

Mr Vice-Chamberlain shewed, that he and the rest of the Committees for Conference with the Lords did attend their Lordships yesterday in the Afternoon at the time and place appointed according to the Commission of this House, and having there received from their Lordships further Advertizement of the imminent great dangers of this Realm and State more than their Lordships had imparted unto them in the last former Conference of this House with their said Lordships before, they did thereupon move their Lordships for their good favour in giving time to this House to consult upon the said dangers and the remedies for the same until to Morrow in the Afternoon. Their Lordships thereupon were so pleased to do; albeit they rather desired the same might have been done sooner. And so reciting at large the particularities of the said Advertizement, and whereof some happened since the last former Conference, Moved this House to grow to some resolution of matter to be prepared ready to be offered unto their Lordships to Morrow in the Afternoon, according unto the promise of himself and the residue of the said Committees of this House unto their Lordships yesterday. It was in the end after sundry Speeches of divers grave Members of this House, tending to divers forms of provision of Treasure,

some by way of treble Subsidies and like proportionable Fifteenths and Tenths, and some by other sorts of benevolences, resolved upon the question, that the former Committees of this House for consultation to be had for necessary supply of Treasures to be had for the repelling of the said dangers, should meet in this House in the Afternoon of this present day to confer and consult generally touching the said great dangers, as also touching the remedies, that the same being digested may be reported over unto this House into such form as to the same shall be thought good; to the end that afterwards it may in the Afternoon be imparted unto the Lords accordingly.

Nota, That there is no more of this days Passages found in the Original Journal-Book of the House of Commons, although there followed divers Speeches upon the foregoing Motion of Sir *Thomas Heneage* her Majesties Vice-Chamberlain concerning the great business of supply to be given to her Majesty; all which are therefore inserted out of that foresaid Anonymous Journal taken by some Member of the said House during this Parliament, which are there set down (with very little alteration added to them) in manner and form following.

Sir *Thomas Cecill* speaking next after Sir *Thomas Heneage* had ended his former Speech, said, that three Subsidies might be set down to be paid in four years, and to be charged upon men of ten pound and upwards to spare them that were under.

Sir *Henry Knivet* affirmed the poverty of our Country against the reasons used. The principal reason of our poverty he said was because we brought in more Foreign Wares than we vented Commodities, and so by this means our money was carried out of our Country. Alledging it to be like a Pond fed with a Spring, but having a breach through which more passeth than cometh in, so &c.

He made these two Motions; First, that the Queen should be helped by a survey taken of all mens Lands and Goods in *England*, and so much to be yearly levyed as to serve the Queen to maintain Wars, the proportion being set a hundred thousand pound yearly; And secondly, if this were disliked, every man upon his word and power to deliver what were the profits of his Lands and worth of his goods, and so a proportion to be had accordingly.

Sir *Francis Hastings* said, The preparations of the Enemies Forces are both ready and great, and *intus* they conspire; therefore a great Aid must be yielded: And I could wish three Subsidies to be levyed in this matter; in the first of them those to be charged of five pound Lands and five Marks Goods; in the second those of twelve pound Lands and eight pound Goods, and in the third all to be charged as these have been.

Sir Walter Raleigh Answered them that spake of the Poverty of the Land, which they argued by the multitude of Beggars, he gave these reasons: That the broken Companies in *Normandy* and the *Low Countries* who returned maimed hither, never went back again to the Towns from whence they came. For a multitude of Clothiers take their Looms into their own hands, spinning their Wooll themselves, and except we would work unto them better cheap than they can make themselves, they will set none on work. This grossing of so many Trades into their own hands, beggereth so many as usually lived by the Trade. He thought it inconvenient to have so many men's livings surveyed: For many are now esteemed richer than they are, and if their Land and Wealth were surveyed, they would be found Beggars, and so their credit which is now their Wealth, would be found nothing worth.

He reported of his own knowledge, that the West Country since the Parliament begun, had taken from them the worth of four hundred and forty thousand pound. They of *Newcastle* lie still for fear, because *Burdeaux* Fleet was taken this year by the Enemy. For the Enemy approaching us, and being our Neighbour as he is gotten to be, our Trades will decay every day, and so our poverty encreaseth every day more and more. And this is most certain, the longer we defer Aid, the less able shall we be to yield Aid; And in the end the greater Aid will be required of us. And so sparing them now we shall charge them when they shall be less able to bear it. For this is most true, one hundred thousand pound would have done the last year that which three will not now do; and three will do this year that which six will not do hereafter. So in conclusion he agreed to three Subsidies; in them the three pound men to be spared, and the sum which came from them to be levied upon those of ten pound and upwards, and the payment to be speedy.

Sir Henry Umpton agreed that there should be three Subsidies granted, according to the old payment; only that a care should be had of assessing it on them that were best able. And his conclusion was, that it might be soon agreed upon, for so it would be more acceptable, because *Tardè velle nolle instar est*.

Sir Edward Stafford thought Subsidies were not so fit a remedy for the dangers we were in, but advised rather, there being ten thousand Parishes in *England*, that it should be imposed on every Parish to find so many men for the Wars; and the richer Parishes to help the poorer. And the allowance for every man yearly to be twelve pound. After this he moved to have the Parliament Prorogued.

Sir Francis Drake described the King of Spains strength and cruelty where he came, and wished a frank Aid to be yielded to withstand him; and he agreed to three Subsidies.

Serjeant Harris moved for three Subsidies, but the ancient custom of payment to be retained;

besides, no three pound men to be excused, for then every man will labour by his Friend to be set three pound. And that it was not needful to find men for the Field. For by the Tenures, of which there are three in *England*, this is provided for. The first *Chivalry*, that is to do service in the Field; the second *Socage*, that is to find us *viatum & vestitum* by the Plough; the last *Frankal moign*, who are to pray for us to God. Now every one by whom fealty is to be done by his Tenure, he is to be forty dayes in the Field with his Lord.

Sir Robert Cecil said, I am glad to see the willingness of the House and readiness to yield Aid; and having a feeling of the necessity requiring it, my desire is, that the Sentence which had had so many Parentheses, might now be brought to a Period, and the Bears Whelp that hath so many times been licked over, might now be made somewhat. For that is always the most Honourable Conclusion, which having received many Contradictions, is in the end concluded. So he desired this matter of Subsidying might be committed to some special Committees in the Afternoon.

Sir John Fortescue thought it liberal to grant three Subsidies, but did assure of his proper knowledge, that three Subsidies would not defray her Majesties Charges, though all other Customs and Revenues were added unto them; And motioned what should be delivered by the House, and what should be delivered to the Lords by the Committees.

Sir Thomas Heneage her Majesties Vice-Chamberlain affirmed, he never saw the House so willing to yield to needful Aids. And that he was one who had now served her Majesty a long time, and knew something her disposition. Wherefore he advised that the wonted course should be followed. For he heard her Majesty speak of it, that she loved not such fineness of device and novel inventions, but liked rather to have the antient usages offered. It is best so to have it paid as it hath been heretofore. Only a greater discretion to be used in the charging of it. To charge the poor men more deeply he thought it not fit; yet they to be grateful to her Majesty he thought it would be accepted. And that the best able men should offer somewhat to her Majesty of their ability. And for the Order of our Proceedings, he thought it fit that we first agree to three Subsidies, and six Fifteenths: this to be considered upon by Committees this Afternoon, and to Morrow to be propounded to the House. And then if it were allowed, we might at our going to the Lords, tell them what we have agreed upon.

Hereupon a murmur was in the House whether we should have a Committee for three Subsidies, or a general Committee to confer of all matters of remedies.

The question being propounded it was Answered, that it should be by a general Committee.

In the Afternoon at the General Committee the Committees met, and it was debated how the Subsidy could be levied in shorter time than heretofore. The poverty of the people and hard Collections of other Subsidies, and the double charge which this would be unto them, with many other reasons were alledged against the Parliaments so speedy Collection. On the other side it was vehemently pressed, that the necessity of the time was such, as it could not carry the accustomed time for payment, her Majesties Purse and Coffers being empty, the danger would be over before the usual payment would come in. Wherefore if the help were not timely, it would be no service. There was much division about this. Some of the Committees would have this propounded, whether the three Subsidies should be paid in four years or three; others dissented from it.

Mr Heale amongst the Committees argued the wealth of the Country to be greater than ever it was, affirming that of his own knowledge from the Mount to London the Country was richer many thousand pounds than heretofore. He also urged the necessity, which being so great, and her Majesty having expended as was said since Eighty eight above ten hundred and thirty four thousand pounds and that only in *Normandy, Brittany* and in the *Low Countries*, and upon her Navy and Artillery; besides all her Pensions to Foreign Princes, her Officers Fees, the charges of her Garrison of *Barwick*, standing her yearly in seventeen thousand pounds; and all this is besides the Expences in her House. These things being considered, he thought more than Subsidies would be yielded; and if Subsidies only, the richer Men must be the more deeply charged, and the Commission so penned, as the Commissioners may have Authority to force men.

Mr Francis Bacon assented to three Subsidies, but not to the payments under six years. And to this propounded three questions, which he desired might be answered. The first, *Impossibility* or difficulty; the second *Danger* or discontentment; and thirdly, a better *manner of supply* than Subsidy.

For *Impossibility*; the poor mens Rent is such, as they are not able to yield it, nor to pay so much for the present. The Gentlemen must sell their Plate, and Farmers their Brass Pots, ere this will be paid. And for us we are here to search the wounds of the Realm and not to skin them over; therefore not to perswade our selves of their wealth more than it is.

The dangers are these. We shall first breed discontentment in paying these Subsidies, and in the Cause endanger her Majesty's safety, which must consist more in the love of the people than in their wealth; and therefore not to give them discontentment in paying these Subsidies: thus we run into a double peril. In putting two payments into one, we make a double Subsidy. For it maketh four shillings in the pound a double payment. The second is this, that this being

granted in this sort, other Princes hereafter will look for the like; So we shall put an evil precedent upon our selves, and our Posterity. And in Histories it is to be observed, that of all Nations the English are not to be subject, base or Taxable.

The *manner of supply* may be by Levy or Imposition, when need shall most require; so when her Majesties Coffers are empty, they may be filled by this means.

Sir Thomas Heneage her Majesties Vice-Chamberlain said, my Opinion shall not prejudice any mans Judgment, but this my answer to the Gentlemans two reasons that spake last, which were *difficulty* and *discontentment*. For the first, it is strange to count that impossible which hath been proved, or that difficulty, which hath been used. For discontentment, a people sound in Religion and faithful to the Queen and State, were never found to love their Prince so little, as to be discontented, &c. The necessity of the time is to be considered, and shall be informed unto them, which is such as has not been at any time these sixty years, nor at any time the like was ever heard of; Yea such dangers, as are not to be read that ever the like was intended to any State. Therefore for this extraordinary time some accustomed help must be had; and from these Subsidies do but take away the benefit of time, and then the payments will yield no help to our necessity; for in two years the dangers will be over. So he desired that in this Case Examples might not lead us, but that the present dangers should move us.

Sir Thomas Cecill moved also, that the Cinque-Ports might be also brought into the Taxes of the Subsidies at this time; for that it hath been the use of men having any Lands in the Cinque-Ports, to take sanctuary there before the Selling of the Subsidy, by removing themselves, and keeping their Houses there.

Sir Walter Raleigh said, I can see no reason that the suspicion of discontentment should cross the provision for the present danger. The time is now more dangerous than it was in Eighty eight; for then the Spaniard which came from *Spain* was to pass dangerous Seas, and had no place of retreat or relief if he failed: But now he hath in *Brittany* great store of Shipping, a Landing place in *Scotland*, and Men and Horses there as good as we have any. But for the difficulty in getting this Subsidy, I think it seems more difficult by speaking than it would be in gathering.

Now stood up two or three to have spoken, striving who might speak first. Then the Speaker propounds it as an Order in the House in such a Case, for him to ask the parties that would speak, On which side they would speak, whether with him that spake next before, or against him; and the party that speaketh against the last speaker is to be heard first. And so it was ruled. Where it may seem, that the Speaker did

did give admonishment fitting in the House as a Member thereof, and not sitting in his Chair as Speaker, which he never doth at any Committee although it be of the whole House.

After which some able Member of the House, whose name is not set down, spake next and said, I could very well agree to the Subsidies, if they were not prejudicial to the Subject in other services. For Subsidies be in the valuation of every mans Lands and Goods by Records called the Queens Books, and according to mens valuation of Subsidies, are they at all other charges; as to the Wars and in time of Muster with Horse and Armour; and this charge maketh men so unwilling to be raised in the Subsidy; but if these Subsidies brought in no other charge with them, they would be yielded willingly. But the tail and appendage of it being so great, and higher than the Subsidy it self, is the reason that men are so unwilling to yield it. Wherefore if a greater Tax or Assessment than heretofore be desired, I would wish a Proviso to be added in the Statute, That by this Subsidy no man should be raised as to the defray of other charges above the rate they were put to before.

Sir Francis Godolphin wished the first payment might be at *Midsummer*, for after that time the Receivors had the benefit of the money. The next to be at *Michaelmas*, for at that time men would have it in the benefit of their Corn and Commodities. And so in four years and a quarter the Subsidy would be paid with more ease.

Mr Lewes agreed to the Subsidies, and desired that two things might be granted, whereby the Subject should be enriched and the better enabled to pay the Subsidy: That is, that one liberty may be granted, which is transporting of Corn; and the other is for somewhat to be restrained, *viz.* bringing in of Wines so abundantly; for the vent of our Cloth amounteth not to the sum of our Vintage, & *frugem patrem-familias vendacem non emacem est oportet*. And thinks it good that the Statutes made heretofore against excess in Apparel might be put in Execution.

Mr George Moore said, I am grieved to see it, and I speak it with grief, how perilous our Estate is, and how dangerous a cause we be in. We are not sick of one Disease but we labour with a plurality of Diseases. To meet therefore with our threefold Diseases we ought like good Physicians to apply a threefold remedy, a treble Subsidy. And as the Physick is lost which is not taken in time, so we must seek to minister the Medicine in good time. And our Disease being a Pleurisie, it is fit we did so. For a skilful Physician though he see in a Pleurisie there is no remedy without letting Blood, yet he will then chuse the time of letting Blood, when the sign is furthest from the heart. Let us let the people Blood, and so prevent the danger.

Mr Heyle said, If we take care for our Posterity, we had best to settle our Posterity, which

will not be, except we prevent dangers now imminent. For precedents of Subsidies they are not to be feared, because before-time greater were required than ever since were granted. Therefore this is no Rule, that what we grant now will hereafter be required. In the sixth year of King *John* every one holding by a Knights Fee, was bound to find a Knight in the Wars. And for this present Law, it may be Enacted, that this shall be no precedent for Subsidies hereafter, like as it was in the fourteenth of *Edward* the Third.

Sir Robert Cecil assented to those that had spoken for the Subsidies, but to them that had spoken to the contrary he said, they speak out of time; And to speak to the particular parts, as that our Poverty is not to be skinned over but thoroughly healed; that discontentment is to be feared; and lastly, that precedents for hereafter would be avoided. For the first, if we be poor, yet at this time it is to be considered we are in great danger, and of two mischiefs we must chuse the lesser. And therefore I would have this question after so much discussing banished the House.

For Precedents, they have never been perpetual, but begun and ended with the Causes; and as the Causes grew, so grew the Precedent. In her Majesties time it is not to be feared that this Precedent will ever do us harm, for her Majesty will never accept any thing that is given her unwillingly of her Subjects: Nay in the Parliament the twenty seventh of her Reign she refused a benevolence offered her, because she had no need of it, and would not charge her people. This being out of fear, we have no reason to give prejudice to the best Queen or King that ever came, for fear of a worse King than ever was. After her Reign I never had so much as one *Idea* in my Head what would be our Estate then.

Now to end the matter long debated, my desire is, that the question might be made for three Subsidies payable in four years.

This question was made in the House, and at the first they gave an I.

Thus far out of the aforesaid Anonymous Journal, that which follows is out of the Original Journal-Book it self.

On *Thursday* the 8th day of *March*, Mr Speaker shewed unto the House, that according to the appointment of this House he hath attended the Lord Keeper touching his Lordships pleasure for the directing of a new Writ for the chusing of another Burgefs for the Borough of *Southmark* in the County of *Surrey*, instead of *Richard Hutton* supposed to have been unduly and undirectly Elected; and also for the allowing of Sir *George Carew* Knight to be Burgefs for the Borough of *Camelford* in the County of *Cornwall*, as truly returned Burgefs of the said Borough of *Camelford* to the Sheriff of the said County, in the stead of *Richard Leeck* alledged to have been returned

returned to the said Sheriff by a false Return; And also for changing of the name of *John Dudley Esq;* returned a Burgeſs for the Borough of *Newtown* in the County of *Southampton*, into the House by the name of *Thomas Dudley Esquire*, alledged to be the same person in very deed that should have been returned; and that his name was mistaken, and none living known by that name of *John Dudley*. His Lordships Answer and Resolution in the said Cases was, that the said Returns of the said Burgeſſes of *Southwark* and *Camelford* should stand and continue according to the Returns of the same, without taking notice of any matter of fact therein, or in the Election at all. And that his Lordship would direct a Writ for chusing of another Burgeſs for the said Borough of *Newtown* in the stead of the said *John Dudley*; And that his Lordship would in the said Writ insert the said Cause of misbehaviour so as before alledged.

Four Bills of no great moment had each of them one reading; of which the last being the Bill for Confirmation of the assurance unto certain Purchasers of Lands sold by *Sir Richard Knightley Knight*, *M^r Valentine Knightley*, and *M^r Edward Knightley Esquires*, was upon the second reading committed unto *M^r Serjeant Yelverton*, *Sir Henry Umpton*, *M^r Cradock* and others, who were appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

The Bill to take away the benefit of Clergy in some Cases was twice read, and committed unto the former Committees in the last former Bill, and *M^r Richard Brown Gentleman* was added unto them; who with the rest was appointed to meet at the same time and place, as in the said last former Bill, viz. to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

Two other Bills also had each of them one reading; of which the second being the Bill for confirmation of the sale of the Lands of *William Raven Gentleman* made unto *Lisle Cave* and others, was twice read, and committed unto *M^r Heale*, *M^r Serjeant Yelverton*, *Sir Henry Knivet*, *M^r Recorder of London* and others, who were appointed to meet upon *Saturday* next at two of the Clock in the Afternoon in the *Middle-Temple Hall*.

M^r Vice-Chamberlain shewed, that he and the residue of the Committees of this House for Conference with the Lords did meet together yesterday in the Afternoon according to the appointment of this House, and that after many Speeches and Arguments gravely delivered by sundry of the said Committees, the greater part of them did assent and agree unto the granting of a triple Subsidy and of six Fifteenths and Tenths, to be yielded to her Majesty towards the provision against the great and imminent perils and dangers of this Realm. The same triple Subsidy and six Fifteenths and Tenths to be levied and paid in four years in a certain form,

which they had set down in Articles, that is to say, one intire Subsidy and two Fifteenths and Tenths at one payment in the first year, and one other intire Subsidy and two Fifteenths and Tenths at one other payment in the second year, and one intire Subsidy and two Fifteenths and Tenths at two payments in the third and fourth years. Which done, he moved further to know the resolution of the House, Whether it would please them to give liking to the said travel of the said Committees in the said Cause; or that it might be their pleasures to resolve of any such other course therein, as they may have Warrant to impart unto the Lords this Afternoon according to the promise of this House to the Lords. Whereupon after many long and grave Speeches and Arguments by divers of the said Members of this House, it was agreed by them all without any contradiction, that the proportion should be a treble Subsidy and six Fifteenths and Tenths. And the said Articles for the manner of payment being read by the Clerk of the House, seemed for the most part to be well liked of. Whereupon after some Motions to the Question, *M^r Speaker* dividing it into two several parts, the one for the number of the said three intire Subsidies and six Fifteenths and Tenths, and the other for the manner and time of levying and payment of the same three intire Subsidies and six Fifteenths and Tenths, it was upon the same several questions severally resolved by the whole House, the proportion to be a treble Subsidy and six Fifteenths and Tenths, and the manner of paying and levying the same to be made in four years according to the said Articles thereof read.

And then were the said Committees appointed and authorized by this House to signify the said resolution of this House unto their Lordships in the Afternoon of this present day accordingly, and to be reported unto their said Lordships by *Sir Robert Cecil*, for that *M^r Vice-Chamberlain* was then at that very instant very sharply grieved and pained with his infirmity of the Gout.

On *Friday* the 9th day of *March* the Bill concerning Woollen-Cloths called *Vesses*, &c. was upon the second reading committed unto *Sir William Knolles*, *Sir John Hart*, *M^r Recorder of London*, *M^r Wroth* and others, who were appointed to meet upon *Tuesday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

Sir John Harrington and *Sir Thomas Wilkes* are added to the former Committees in the Bill for Confirmation of Assurances unto certain Purchasers of Lands sold by *Sir Richard Knightley K^t*, *M^r Valentine Knightley* and *M^r Edward Knightley Esquires*, appointed yesterday.

The Committees in the Bill touching Recusants nominated on *Wednesday* the 28th day of *February* foregoing, are appointed to meet in this House at two of the Clock this Afternoon.

The Committees in the Bill also for Naturalizing

zing of *Samuel Saltingstall* and others nominated on *Monday* the sixth day of this instant *March* foregoing, are appointed to meet to Morrow at two of the Clock in the Afternoon in the *Middle-Temple Hall*. The Bill concerning Spinners and Weavers was read the first time.

The Bill for the Confirmation of the Joynure of the Lady *Margaret* Countess of *Cumberland* is deferred till to Morrow, to be further dealt in.

Sir *Robert Cecill* reporteth at large the Message of this House yesterday by him and the residue of the Committees of this House delivered unto their Lordships, and their Lordships good acceptance of the same. Which done, after sundry other speeches of divers Members of this House, it was resolved upon the Question, that the former Committees of this House for the Subsidy (their names being then read by the Clerk of this House) should meet in this House at two of the Clock in the Afternoon of this present day, for the setting down of Articles for the drawing of the Bill for the granting of the Subsidies and six Fifteenths and Tenths to be paid in four years according to the former resolution of this House therein.

The Bill against springing Uses and Perpetuities was upon the second reading committed unto all the Privy Council being of this House, all the Knights of the Shires returned unto this House, Mr *Cradock* and others, who were appointed to meet in this House, upon *Tuesday*, at two of the Clock in the Afternoon.

Richard Hutton Gentleman, one of the Burgesses returned for the Borough of *Southwark* in the County of *Surrey*, is upon a Motion made by Mr Recorder of *London*, and also after some Report made by Mr Speaker of the opinion and pleasure of the Lord Keeper in that Case, adjudged upon the question to be a Member of the House; and thereupon the Oath being taken by him before Mr Chancellor of the Exchequer, the said *Richard Hutton* came into this House, and took his place in the same accordingly.

Sir *John Hart*, one of the Knights returned for the City of *London*, putting the House in remembrance once of a Report lately made by some of the Committees of this House touching a Speech lately delivered by some of the Committees of the Lords touching the late Assessment of the late double Subsidy (amongst others) in the City of *London*, alledging that in *London* there was none Assessed at above two hundred pounds, and not past four such, nor yet past eight at one hundred pounds, shewed, that the Honorable person that delivered the said Speech to the said Committees of this House had not been rightly informed in that matter. And shewed further, that in very deed at the last Assessment of the Subsidy within the said City of *London* there were two and thirty persons taxed at two hundred pounds and upwards, whereof some at two hundred and twenty, and some at two hundred and fifty pounds. And one hundred forty and eight persons at one hundred pounds and

upward, whereof some at one hundred and ten, some at one hundred and twenty, some at one hundred and forty, some at one hundred and fifty, some at one hundred and sixty, and some at one hundred and eighty pounds. And eighty persons at three hundred pounds, and some at three hundred and fifty pounds, and four persons at four hundred pounds. Besides five hundred forty and four persons at fifty pounds and upwards, whereof some at sixty, some at seventy, some at eighty, and some at ninety pounds.

The Bill concerning the lawful deprivation of *Edward Bonner* late Bishop of *London*, was upon the second reading committed unto Mr *Hubbert*, Mr *Heale*, Sir *Henry Knivet*, Mr *Wroth* and others, who were appointed to meet in this House upon *Monday* next at two of the Clock in the Afternoon.

On *Saturday* the 10th day of *March*, Mr *Wroth* one of the Committees in the Bill against the stealing of Oxen, Sheep and Lambs, shewed, that he and the residue of the Committees in the same Bill have met together, and added some amendments to the same Bill; and offereth both the Bill and amendments to the House. Which amendments being inserted into the Bill by the Clerk of this House, and the same amendments then also twice read, the Bill upon the question was ordered to be Ingrossed.

The Bill for relief of Jurors upon Tryals between party and party was upon the second reading committed unto Mr *Tasborough*, Mr Recorder of *London*, Mr *Wroth* and others, and the Bill was delivered to Mr *Tasborough*, who with the rest was appointed to meet this day at two of the Clock in the Afternoon in the *Middle-Temple Hall*.

Three Bills of no great moment had each of them one reading; of which the last being the Bill for Confirmation of Letters Patents unto the Mayor, Sheriff, Citizens and Commonalty of the City of *Lincoln*, was upon the second reading committed unto Sir *Francis Hastings*, Mr Recorder of *London* and others, who were appointed to meet upon *Monday* next at two of the Clock in the Afternoon in the Exchequer-Chamber.

Mr. Chancellour of the Exchequer reporteth the travel of himself and the residue of the Committees for setting down of Articles for the Subsidy, and shewed, that they have drawn the said Articles, and offereth the same to the House to be read. Which being then read by the Clerk of the House, and in some part thereof reformed by the assent of the whole House, (to wit in that Article which concerned the privilege of the Cinque-Ports, and that Article also which concerned such persons as in regard of having several habitations should be Assessed in the said Subsidies in several places) upon the doubtfulness of the voices to the question twice propounded, Whether the strangers resident in the Cinque-Ports shall be charged with the payment of the said Subsidies or not, it was upon the division of the House adjudged, that they shall

shall not be charged with the said payments, by the difference of thirty persons, viz. with the Yea a hundred and eighteen, and with the No a hundred forty eight, in all two hundred sixty six.

And afterwards it was Ordered, that the said Articles should be delivered to the former Committees for the Preamble to prepare the same: And also the said Rates according to the said Articles to be set down in the Bill.

Nota, That after this business touching the Ginque-Ports there followeth a Motion made by Mr *Wroth* touching some Members of the House who had been Imprisoned in the beginning of this Parliament, of which see on *Sunday* the 25th day of *February* foregoing, which remaineth very legible in the Original Journal-Book of the House of Commons, although it be crossed out. The reason of which said crossing out is very hard to conjecture, in regard that the said Motion was doubtless made this Morning, as doth plainly appear also by the often before-cited Anonymous Journal more particularly mentioned at the beginning of this present Journal, out of which it is supplied in manner and form following.

Mr *Wroth* made a Motion, that in respect that some Countries might complain of the Tax of these many Subsidies, their Knights and Burgeses never consenting unto them nor being present at the grant: And because an Instrument, taking away some of its strings, cannot give its pleasant sound: Therefore desired that we might be humble and earnest Suitors to her Majesty, that she would be pleased to set at liberty those Members of the House that were restrained.

To this was Answered by all the Privy Councillors, that her Majesty had Committed them for Causes best known to her self, and for us to press her Majesty with this Suit, we should but hinder them whose good we seek. And it is not to be doubted 'but her Majesty of her gracious disposition will shortly of her self yield to them that which we would ask for them, and it will like her better to have it left unto her self than sought by us.

Thus far out of the said Anonymous Journal, and the residue of this days Passages do follow out of the Original Journal-Book it self.

Three Bills of no great moment had each of them one reading; of which the last being against Counterfeiting of Councillors or Principal Officers hands was upon the second reading committed unto Sir *John Wolley*, Sir *Walter Raleigh*, Mr *George Moore* and others, who were appointed to meet upon *Tuesday* next at two of the Clock in the Afternoon in the *Middle-Temple* Hall.

Sir *Walter Harecourt* K^t, one of the Knights for the County of *Suffolk*, in regard of the present extremity of his Wifes Sicknes is licensed by Mr Speaker to depart home into his Country.

James Goodwyn Gent', one of the Burgeses

returned for the City of *Wells* in the County of *Somerset* is for his necessary businesses licensed by Mr. Speaker to depart home.

It should seem by these two words, viz. *Non sol.* set in the Margent over against the names of these two last mentioned Members of the House, that the said Members did not leave any money with the Serjeant of the House to be distributed amongst the poor, at their departure: Which I conceive is here noted, because two others that departed at this time also into the Country upon like occasions, did either of them leave money with the said Serjeant to be so distributed, as now immediately followeth.

Giles Hutchins Gent' returned a Citizen into this present Parliament for the City of *New Sar.* is licensed by Mr. Speaker to depart upon his necessary occasion by reason of the extream Sicknes of Mr. *William Blaker*; and the said Mr. *Hutchins* left with the Serjeant of this House two shillings and four pence to be distributed amongst the poor.

John Cotten Esquire, one of the Knights returned into this present Parliament for the County of *Cambridge*, is in respect of the present Sicknes of Sir *John Cotten* Knight, Father of the said *John Cotten* Esquire, licensed to depart into his Country for this time. And the said Mr. *Cotten* left with the said Serjeant twelve pence to be given to the poor.

On *Monday* the 12th day of *March*, Mr. *Lewes*, one of the Committees in the Bill concerning salted Fish and salted Herrings shewed, that he and the residue of the Committees have taken pains in consideration of the said Bill, and have added a Proviso to the said Bill, and prayeth the twice reading of the same Proviso, and that then the same Proviso and Bill may be Ordered to be ingrossed. Whereupon the same Proviso being twice read, the said Bill and Proviso after some Speeches both against and with them, were upon the question referred to the former Committees, who were appointed on *Monday* the 5th day of this instant *March* foregoing, to be considered of in the Afternoon of this present day in the Exchequer Chamber.

The Bills committed for confirmation of Letters Patents to the Mayors, Sheriffs, Citizens and Commonalty of *Lincoln*, and concerning the lawful deprivation of *Edward Bonner* late Bishop of *London*, are delivered to Sir *Edward Dymock* one of the Committees in the same.

The Bill for reducing of disloyal Subjects to their due Obedience was brought in by the Committees, and also a new Bill made for that purpose; with prayer that the same Bill may be read.

But what those alterations were upon which the old Bill was rejected and a new Bill framed, are not set down in the Original Journal-Book it self; and therefore because it is a matter of no small consequence, and may also be of some use, I have inserted the particulars thereof out of the aforesaid Anonymous Journal, more particularly

mentioned at the beginning of this present Journal, which are there set down in manner and form following.

The particulars of the first Bill exhibited against Recusants.

1. **T**HE party so Indicted and Convicted shall forfeit all his Goods and Chattles, which he hath in his own right, or in the right of his Wife.

2. *Item*, He shall forfeit two parts of his Lands, Tenements and Hereditaments, if he be born under her Highness Allegiance, of the Age of sixteen years.

3. *Item*, A Feme Covert shall lose her Dowry or Jointure, which she might have by her Baron.

4. *Item*, If a Man match with an *Inheritrix* being a Recusant, he shall lose two parts of those Lands to the Queen. Neither of them shall Administrate to any Man.

5. *Item*, Such a party being a Recusant shall be disabled to make any purchase or sale of Lands.

6. *Item*, He shall be disinabled either to take or make any Lease to the use of himself, or to the use of his Wife.

7. *Item*, A Recusant shall forfeit for keeping any such Recusant Person in his House either Servant or Stranger ten pound every Month, being at one time so long in his House, or at several times in the year.

8. *Item*, He shall be barred to bear any Office in the Land, or to practise as Councillor, Doctor, Solicitor, Proctor, Attorney or Advocate to the Law.

9. *Item*, He shall have his Children taken from him if they be above the Age of seven years, which are to be disposed of by the Lords of the Council, or the Ordinary, or the Judges of Assizes for the time being, and their maintenance to be raised out of a third part of such a Recusants Living.

10. *Item*, He shall be disinabled to make any bargain or sale of any of his Goods or Chattles.

11. *Item*, If he be a Copyholder, he shall forfeit his Copyhold during his Life, whereof two parts is to go to the Queen, and the third to the Lord.

12. *Item*, If any person be Indicted for Recusancy of Malice, he shall have his remedy against the party at the Common Law.

13. *Item*, If any person having been a Recusant shall at any time recant, he shall make his submission in the Parish Church where he dwelleth, acknowledging the Queens Proceedings to be just, and detesting the Church of Rome: which he shall also do in open Court before the Judges of Assize.

14. *Item*, If any such person after such Recantation fall into relapse, he shall lose the benefit of the former Recantation for ever.

Lastly, There is a Proviso, that those that have already bought Lands of any that are or shall be Indicted for a Recusant, the Bargain shall be as good and stand in effect, as if this had never been made.

This Bill by the aforesaid Committees received all these alterations following, whereupon it came in as a new Bill again.

THE two first Articles altogether omitted being thought too hard.

The third that the Woman is to lose but two parts of her Jointure or Dower after her Husbands Death.

The fourth, That the Husband not being Recusant, is to forfeit no part of his Land for his Wives Recusancy.

The fifth, All Sales made by Recusants since 2 *Eliz.* of Lands whereof he taketh the profits, or which Conveyance is upon any trust and confidence, to be void as to the Queen, as for two parts of the profits to be answered her; and so all Sales hereafter to be made by any Recusant Convicted, the Sale being *bonâ fide*, &c.

The sixth, They shall be disinabled to be Justices of Peace, Mayors, Sheriffs, &c.

The ninth, Children being ten years old, until they be sixteen years, to be disposed of at the appointment of four Privy-Councillors, the Justices of Assize, the Bishop of the Diocese, Justices of Peace. If the third part of the Lands suffice not for maintenance, the rest to be levied of the Parents goods.

The eleventh, Recusants that be Copyholders, to forfeit two parts to the Lord of the Mannor, if the Lord be no Recusant, and if he be, then to the Queen.

The thirteenth, Protesting that he doth not come under colour of any dispensation or other allowance from the Pope, but for Conscience and Religion.

Thus far out of the aforesaid Anonymous Journal, the rest of the Passages of this day follow out of the Original Journal-Book it self, amongst which is Entred the first reading of the aforesaid new Bill touching Recusants brought in this Morning by the said Committees in these words, *viz.*

The Bill for reducing disloyal Subjects to their due Obedience had its first reading.

Mr. *Richard Lewkenor*, one of the Committees in the Bill for confirmation of the Lands of *William Raven* made unto *Lisle Cave*, *Thomas Andrews* and *Edward Haselrigg* Esquires, shewing, that he and the residue of the Committees in the same Bill did meet together upon *Saturday* last in the Afternoon, and have upon their said Conference therein thought good to add certain words to the same Bill, *viz.* in the second line of the Proviso after the word [Conveyance] to add this word [Judgment] and in the same line after this word [made] to add these words [or had] and in the same line also after the word [by] to add

add these words [or against]; It was thereupon Ordered by this House upon the question, that the said words should be so added accordingly. And thereupon also were the same added words twice read for the two readings of the same.

Mr. Serjeant *Fleetwood* and Mr. *Thomas Pome* do bring from the Lords a Bill intituled An Act for the restraining of Popish Recusants to some certain place of abroad.

The Bill for the better assurance and confirmation of the Jointure of the Lady *Margaret* Countess of *Cumberland*, after some Speeches had towards the furtherance of passing the said Bill, is passed upon the Question.

The Bill concerning the Exemplifications of Fines and Recoveries was upon the second reading committed unto all the Serjeants at Law being Members of this House, Mr. *Francis Bacon*, Sir *Edward Dymock* and others, who were appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

Sir *Robert Cecil* moved for some course of necessary relief to be had and devised, for the great number of poor people pressing every where in the streets to beg: And dividing them into three parts and sorts, all of them, he said, in Christian Charity ought to be relieved though in sundry degrees, sorting the maimed and lame Souldiers for the first and best kind of those people and meetest to be relieved; The poor Aged and Diseased honest people are in Charity to be holpen for the second; And the stout, idle Rogues for the last and worst fit to be punished and set to work.

It was thereupon moved by Master *Sands*, for consideration also in that behalf to be had, that the Statutes already in force for relief of the poor and punishment of the Rogues might be perused by a Committee of this House. Whereupon it was Ordered by the House upon the Question, That all the Privy-Council being Members of this House, Sir *George Carew*, all the Serjeants at Law, Mr. *Francis Bacon*, Mr. *Nathanael Bacon*, Mr. *Edward Dier*, Sir *Thomas Ingram*, Sir *Thomas Baskerville*, Mr. Recorder of London, Mr. *Skinner*, Mr. *Andrew Palmer*, Mr. *Wroth*, Sir *William Moore*, Mr. *George Moore*, Sir *William Bruncker*, Sir *Thomas Shirley*, Sir *Moyle Finch*, Mr. *Henry Finch*, Sir *Edward Dymock*, Sir *Francis Drake*, Mr. *Edgecombe*, Mr. *Thomas Fane*, Sir *Walter Covert*, Sir *Walter Raleigh*, Mr. *Auton*, Mr. *Nicholas Sanders*, Sir *Francis Vere*, Mr. *Sands*, Mr. *Chuite*, Mr. *Hackford*, Sir *John Points*, Sir *Henry Cocke*, Sir *Edward Hobby*, Mr. *Charles Dymock*, Sir *Robert Sidney*, Mr. *Arthur George*, Sir *Anthony Cope*, Sir *John Wingfield*, Sir *Henry Knivet*, Sir *Ferdinando George*, Sir *William Read*, Sir *Comard Clifford*, Sir *Humphrey Foster*, Sir *Edward Stafford*, Sir *Robert Sackville*, Sir *Henry Poole*, Mr. *John Thynne*, Sir *Thomas Denny*, Sir *William Beville*, Mr. *Lawrence Stoughton*, Mr. *Edward Lewkenor*, Sir *John Harrington*, Mr. *Warren*, Sir *Francis Hastings*, Mr. *Boyes*, Mr. *Amersham*, Mr. *Perriam*, Sir *Thomas West*, Mr.

George Wray, Sir *Thomas Read*, Mr. *Richard Lewkenor* and Mr. *Horsey* should meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber, to confer about the said matters so moved; and also to confer touching the continuation of such other Laws and Statutes as are fit to be considered of in this present Sessions to be further continued.

On *Tuesday* the 13th day of *March*, the Bill for reducing disloyal Subjects to their due obedience had its second reading.

Mr. Chancellor of the Exchequer brought in a Preamble agreed by the more part of the Committees to be set down in the Bill for the Subsidies, if this House shall like of it; which Preamble being read by the Clerk of this House, the same was after some Speeches had committed upon the Question unto Mr. Vice-Chamberlain, Mr. Chancellor of the Exchequer, Mr. *Broughton*, Mr. *Brown* and others, to be presently further considered of in the Committee Chamber of this House.

Mr. Attorney General and Mr. Doctor *Ford* do bring from the Lords a Bill concerning the Lands of *Henry* late Lord of *Burgavenny* deceased, with a Message also from their Lordships, to desire that a Committee of selected Members of this House may be appointed to have Conference with a Committee of the Lords touching the continuance of Statutes; It was resolved by the House to assent unto such a Committee accordingly, and that assent was also delivered in Answer to the said Mr. Attorney and Mr. Doctor *Ford*, and offer to be ready to attend their Lordships therein at such time and place as their Lordships shall please to signify unto this House and appoint for that purpose.

After which Mr. Attorney General and Mr. Doctor *Ford* do bring word from the Lords, that their Lordships have nominated sixteen of themselves to confer with a convenient number of this House touching the said consideration for continuance of Statutes, and have appointed the time to be on *Thursday* next at two of the Clock in the Afternoon in the Exchequer Chamber next the Upper House of Parliament, if the House shall so think good. Which being shewed to the House by Mr. Speaker, it was Ordered by this House, that the former Committees of this House, yesterday selected for that purpose, should attend their Lordships to Morrow at the said time and place. Which was afterwards so signified over by Mr. Speaker unto the said Mr. Attorney General and Mr. Doctor *Ford* accordingly.

The said Preamble in the Bill of Subsidy being brought in again amended by the said Committees and read to the House by the Clerk, was agreed on by the whole House and appointed to be delivered to her Majesties Learned Council, for the more speedy drawing of the Bill.

Nota, That this Bill touching the Subsidy after many days agitation did at length very difficultly pass the House by reason of the greatness thereof, on *Thursday* the twenty second of this instant

March ensuing, this present day being the first in which the very Preamble was brought into the House and agreed upon, for which many in the House desired a longer time for it to be considered of by a Committee, and not to have been so suddenly assented to, as is noted in the fore-said Anonymous Journal more particularly mentioned at the beginning of this present Journal: But that the Speaker perceiving the Privy Counsellors of the House desirous to have the Bill expedited, did over-reach the House in the subtle putting of the Question; by which means it had been only considered of in the Committee-Chamber by those eighteen Members of the House appointed in the beginning of this Forenoon, and by them brought back again into the House, before the ending thereof, and so was agreed on by the said House as is aforesaid.

The Bill for Vessels which was committed on *Friday* the 9th day of this instant *March* foregoing, was delivered to Sir *Francis Hastings* one of the Committees.

The Bill for Perpetuities committed on *Friday* the 9th day of this instant *March* foregoing, was delivered to Sir *Edward Hobby* one of the Committees.

The Bill against Counterfeiting of Counsellors Hands, &c. committed on *Saturday* the 10th day of this instant *March* foregoing, was delivered to Sir *William Knolls* one of the Committees.

Nota, That the Bill against Recusants, which had been newly brought in by the Committees on *Monday* the 12th day of this instant *March* immediately foregoing, and the old Bill rejected, and had in the beginning of this Forenoon been read the second time, was now in the end of the same spoken unto by divers Members of the House. Which speeches containing in them matter of good consequence are wholly omitted in the Original Journal-Book it self, and are therefore supplied out of the aforesaid Anonymous Journal more particularly mentioned in the beginning of this present Journal, in manner and form following.

Mr *Sands* spake to the Bill for Recusants, that it might be as it went first for Recusants generally, and not restrained to Popish Recusants only: So that under this Bill there might be included Brownists and Barrowists.

Mr *Lewes* shewed, that it was not fit that the Bill should include any other than Popish Recusants.

Mr Speaker said, that the Preamble of this Bill being conferred with the body of this Bill, other Recusants than Popish Recusants could not be comprized therein. For the Title of the Bill and the Preamble run only in this manner, Against such as are enemies opposed to our State, and adherents to the Pope. So another Bill might be framed against those persons, but these cannot be comprized therein.

Mr *Dalton* would have Recusants that be Brownists comprized in the Bill as well as Popish

Recusants, and to that end would have the Preamble altered, and be to repress disloyal Subjects and to impose upon them more due obedience; and so to go directly to the Act; Be it Enacted, leaving out all the Preamble; for he cited some Bills overthrown, as he said, only by reason of superfluous words in the Preamble.

Doctor *Lewin* made a long Speech. His end was only to have the Brownists and Barrowists as well provided against as Papists; but whether in this Bill or in some other, he left that to the Wisdom of the House.

After which Speeches the said Bill was committed again to the former Committees which were appointed on *Wednesday* the 28th day of *Febr.* last past.

Thus far out of the aforesaid Anonymous Journal, that which follows is out of the Original Journal-Book it self.

On *Wednesday* the 14th day of *March* Sir *Edward Hobby*, one of the Committees in the Bill touching Mr *Read Stafford*, brought in the Bill with some amendments, and opening the effects of the said Amendments to the House, the same Amendments then also being read by the Clerk, It was Ordered by this House, that the same Amendments should be inserted accordingly into the same Bill.

The Bill for Mr *Anthony Cook* had it first reading.

Mr *Richard Lewkenor*, one of the Committees in the Bill concerning the lawful deprivation of *Edward Bonner* late Bishop of *London*, brought in the Bill with some Amendments, and opening the Contents of the same Amendments to the House, the same Amendments also being then read to the House by the Clerk, it was Ordered by this House that the same Amendments should be inserted in the said Bill accordingly.

Mr *John Hare*, one of the Committees in the Bill concerning Mr *Valentine Knightley* brought in the Bill with some Amendments, and opening the Contents of the said Amendments to the House, the same Amendments being then also read to the House by the Clerk, It was Ordered by this House that the same Amendments should be also inserted into the said Bill accordingly.

The Bill for reducing of her Majesties Subjects to their due obedience committed Yesterday to the former Committees who were appointed on *Wednesday* the 28th day of *February* (last past) was this day delivered to Mr *Treasurer* one of the Committees.

Mr *Lewes* one of the Committees in the Bill touching salted Fish and salted Herrings, brought in the Bill with some amendments, and shewing the Contents of the said Amendments, and the same being read by the Clerk of the House, it was Ordered by this House, that the said Amendments should be inserted in the said Bill accordingly.

Mr *Serjeant Telvorton* one of the Committees in the Bill concerning the Exemplifications of Fines

Fines and Recoveries, brought in the Bill with some Amendments, which Amendments being twice read, the Bill after many Speeches both with and against the same Bill was dashed upon the question for ingrossing.

Three Bills also had each of them one reading; of which the last being the Bill touching the over-lengths of broad Cloth, was upon the second reading committed unto Mr. Chancellor of the Exchequer, the Burgesses of *Worcester* and *Coventry*, the Knights and Citizens of *Yorkshire* and the City of *York*, and others, who were appointed to meet upon *Friday* next at two of the Clock in the Afternoon in this House.

Richard Goodwin, returned one of the Citizens for the City of *Wells* in the County of *Somerſet*, is for his better recovery of health, licensed by Mr. Speaker to depart home into his Country; and the said Mr. *Goodwin* left two shillings and six pence with the Serjeant of the House to be distributed amongst the Poor.

The Bill to avoid stealing of Oxen, Kine, Sheep and other Cattle was upon the third reading dashed upon the Question.

On *Thursday* the 15th day of *March*, Sir *Edward Dymock*, one of the Committees in the Bill for Confirmation of Letters Patents to the Mayor, Sheriff, Citizens and Commonalty of the City of *Lincoln*, (appointed on *Saturday* the 10th day of this instant *March* foregoing) brought in the Bill with some Amendments, and opening the Contents of the same Amendments, the said Amendments were afterwards read by the Clerk, and then upon the question agreed by the House to be inserted in the said Bill accordingly.

Two Bills of no great moment had each of them one reading; of which the second being the Bill touching Execution of Proceſs, was upon the second reading committed unto Mr. *Lemes*, Sir *Edward Dimock*, the Recorder and Citizens of *York*, Mr. Recorder of *London* and others, who were appointed to meet to Morrow at two of the Clock in the Afternoon in this House.

The Amendments in the Bill touching the late Deprivation of *Edward Bonner* late Bishop of *London* being twice read by the Clerk, the Bill was upon the question Ordered to be ingrossed.

The Amendments in the Bill touching salted Fish and salted Herrings being twice read, the Bill was upon the question Ordered to be ingrossed.

The Amendments in the Bill for confirmation of assurances of certain Lands and Tenements from *Richard Knightley*, *Valentine Knightley* and *Edward Knightley* Esquires, unto *Charles Hales* Esquire, *Thomas Bricket* and *John Lamberd* Gent. being twice read, the Bill was upon the question Ordered to be ingrossed.

Mr. Serjeant *Harris*, one of the Committees in the Bill for the Naturalizing of *Samuel Saltingſtall* and others, appointed on *Monday* the fifth day of this instant *March* foregoing, brought in the Bill with some Additions, which being first

read to the House, were by the Order of the House agreed to be inserted into the Bill, and then afterwards the same Additions being twice read, the said Bill was Ordered to be ingrossed.

The Amendments in the Bill concerning Mr. *Read Stafford* being twice read, the Bill was upon the question Ordered to be ingrossed.

Mr. *Wroth*, one of the Committees in the Bill for the true assizing of Bread (appointed on *Monday* the 5th day of this instant *March* foregoing) shewed the meeting and travel of the said Committees at sundry times about the said Bill, and that they thought good to make a new Bill for that matter. And so delivered in both the old Bill and also the new Bill.

The Bill for restraining Popish Recusants to some certain places of abroad, was read the second time, and committed to the former Committees (which said Committees were appointed on *Wednesday* the 28th day of *February* last past) to meet to Morrow at two of the Clock in the Afternoon in this House, and the Bill was delivered to Mr. Treasurer.

Mr. *Winch*, one of the Committees in the Bill for the relief of Jurors upon Tryals between party and party, appointed on *Saturday* the 10th day of this instant *March* foregoing, shewed, That the Committees have met and conferred on the said Bill, and did think good to make a new Bill. And so delivered in both the old Bill, and also the new Bill.

To Morrow in the Afternoon is appointed to have Conference and meeting touching provision to be treated of for relief of poor Souldiers. The Committee for which business was appointed on *Monday* the 12th day of this instant *March* foregoing.

The Bill concerning the breadth of Plunkets, Azures and Blues, was upon the second reading committed unto the Burgesses of *Reading*, the Knights for *Yorkshire*, the Knights and Burgesses for *Somerſet*, *Wilts* and *Gloucester*, Mr. *Conisby* and others, who were appointed to meet upon *Saturday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr. Serjeant *Harris* and Mr. *Dalton* are added to the Committees in the Bill against *Retaylors*, &c. (appointed on *Tuesday* the 6th day of this instant *March* foregoing) to meet at the same time and place with the Committees in the Bill concerning Plunkets, Azures, &c.

On *Friday* the 16th day of *March*, the Bill for Mr. *Anthony Cook* was upon the second reading committed unto Mr. *Wroth*, Mr. *Dalton*, Mr. *Francis Bacon*, and others; who were appointed to meet this day in the Afternoon at two of the Clock in the Exchequer Chamber; and the Bill was delivered to Sir *Francis Hastings* one of the Committees.

Four Bills of no great moment had each of them one reading; of which the last being the Bill for speedy punishment of Felonies called *Pettite Larceny*, was upon the second reading committed

mitted unto Sir *William Moore*, Mr. *Hubbard*, Mr. *Sands* and others; and the Bill was delivered to Mr. *Hubbard*, who with the rest were appointed to meet upon *Tuesday* next in the Afternoon at two of the Clock in the Exchequer Chamber.

Mr. *Thomas Posthumus Hobby* is Ordered by this House to move Sir *Edward Hobby* Brother of the said *Thomas*, that the Bills in his Custody touching springing uses and perpetuities, and touching the Execution of Process, and against Recufants, may be brought into this House to Morrow sitting the Court.

The Committees in the Bill against Counterfeiting of Councillors hands, &c. (appointed on *Saturday* the 10th day of this instant *March* foregoing) are deferred until *Monday* next in the Afternoon.

The Bill concerning Mr. *Ognall* was upon the second reading committed unto Mr. Chancellor of the Exchequer, Sir *John Wolley*, Mr. *Wroth* and others, who were appointed to meet upon *Tuesday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr. Serjeant *Owen* and Mr. Doctor *Carey* do bring from the Lords a Bill intituled An Act against persons Outlawed, and such as will not pay their Debts and Duties.

The Bill for granting of three intire Subsidies and six Fifteenths and Tenths granted to the Queens Majesty had its first reading. *Vide* more concerning this Bill on *Thursday* the 22th day of this instant *March* next ensuing.

On *Saturday* the 17th day of *March*, Mr. *Richard Toptliffe* and Mr. *William Bassett* Esquires, Sheriffs of the County of *Darby*, and Mr. *Moore* being of Council with Mr. *Bassett* were heard at large at the Bar of this House touching the Case of *Thomas Fitzherbert* Esquire, returned a Member into this House, and now Prisoner in the Custody and Charge of the said Sheriffs; and after long hearing of the said Parties, it was in the end resolved by this House, that this House being a Court of Record would take no notice of any matter of fact at all in the said Case, but only of matter of Record. And that Mr. Speaker on the behalf of this House shall move the Lord Keeper of the Great Seal of *England* for return to be made by the said Sheriff into the Chancery of the Writ of *habeas corpus cum causa*, in that Case lately awarded by his Lordship unto the said Sheriff, upon Motion to his Lordship from this House in that behalf, according to the purport of the same Writ, which being not done with such due Expedition as it ought, (the same being *indilate*) his Lordship will then at the request of this House assess a good round Fine upon the said Sheriff for the same his Contempt. *Vide* concerning this matter on *Thursday* the first day, and on *Friday* the second day of this instant *March* foregoing; as also on *March* 30th *Friday*, *Apr.* 3^d *Tuesday*, and *Apr.* 5. *Thursday postea*.

Mr. *Thomas Posthumus Hobby* shewed, that according to the appointment of this House he hath moved his Brother Sir *Edward Hobby* for the two

Bills which were in his hands, *viz.* the Bill for Perpetuities and the Bill touching the Execution of Process, &c. And that the said Sir *Edward Hobby* saith, he is a Committee amongst others in both the same Bills by appointment of this House, and that the same Bills were in that respect delivered to him by the Clerk of this House: And that albeit he thinketh it reasonable he should be acquainted with the proceedings in the said Bills in the Committee, as one of the same Committees; yet in regard of the dutiful good will he beareth to the Members of this House, and loth to offend any of the same, he delivered the said Bills to the said Mr. *Posthumus Hobby* to be brought into this House accordingly. And so the said Mr. *Thomas Posthumus Hobby* delivered the said Bills.

Three Bills had each of them one reading; of which the last being the Bill to confirm the sale of certain Lands and Tenements made by Sir *Richard Knightley* Knight, *Valentine Knightley* and *Edward Knightley* Esquires, unto *Charles Hales* Esquire, *Thomas Bruncket* and *John Lambert Gent.* and others, was read the third time and passed upon the question.

The Serjeant of the House received of Mr. *Miles Sands* six shillings, and of Mr. *Lewes* two shillings to be given amongst the poor. Which it should seem they left with the said Serjeant upon Licence given them by Mr. Speaker to depart into the Country upon some necessary Occasions.

Mr. *Finch*, one of the Committees in the two Bills touching Popish Recufants, bringeth in both the same Bills with some Amendments; which said Amendments being opened by him unto the House, and afterwards read by the Clerk of the said House, the same Amendments were Ordered by the House to be put into the same Bills accordingly.

The Bill concerning springing uses and perpetuities was delivered to Mr. Serjeant *Harris* one of the Committees appointed on *Friday* the 9th day of this instant *March* foregoing.

And the Bill for the speedy Execution of Process (appointed to be considered of, on *Thursday* the 15th day of this instant *March* foregoing) was delivered to Mr. *Dalton* one of the said Committees.

On *Monday* the 19th day of *March*, Two Bills of no great moment had each of them one reading; of which the first being the Bill concerning Iron Wier and Iron Wier-Works was read the first time.

Sir *Francis Hastings*, one of the Committees in the Bill concerning the breadth of Plunkets, Azures, Blues and other Coloured Cloaths, &c. appointed on *Friday* the 16th day of this instant *March* foregoing shewed, that he and the residue of the Committees in the same Bill have met together, and thought good to make some Addition to the said Bill; and opening the contents thereof to the House, and afterwards praying the same to be read, it was after the reading Ordered

Ordered to be inserted into the said Bill.

Mr. Speaker shewed unto the House, that according to their late direction he hath moved the Lord Keeper for the speedy bringing up of one Mr. *Tho. Fitzherbert*, and also for a Fine to be assessed by his Lordship upon Mr. *Basset* the Sheriff of *Darbyshire*, according to the request of this House for his contempt in not returning the Body and Cause of Mr. *Fitzherbert* heretofore according to the Writ: all which Mr. Speaker said, his Lordship would willingly do. *Vide* concerning this matter on *Thursday* the first day, *Friday* the second day, and on *Saturday* the seventeenth day of this instant *March* foregoing.

The Bill concerning the lawful Deprivation of *Edward Bonner* late Bishop of *London* had its third reading, and after sundry Speeches some words were added to the end of the Bill, and a Proviso also after those words so added were likewise read, and presently inserted into the said Bill, and three times read. The said Bill in such sort amended was passed upon the Question.

Mr. Vice-Chamberlain one of the Committees touching the relief of the poor (appointed on *Monday* the 12th day of this instant *March* foregoing) and for continuance of Statutes, moved that for some present relief for poor Maimed and sick Souldiers, a Collection might be had amongst the Members of this House, at the rate of thirty shillings a piece for every one of this House being of her Majesties Privy-Council, ten shillings a piece for every one returned a Knight for any Shire into this Parliament, and every other being a Knight in Degree, though returned but as a Burgefs; and every other of meaner degree that is returned for a Burgefs at five shillings a piece: And that all such as are departed without Licence pay double after the said rates. Which was immediately upon the Question assented unto by the whole House accordingly.

Sir *Robert Cecil*, one other of the same Committees, liking well of the said course taken upon the said Motion made by the said Mr. Vice-Chamberlain, moved further for some future continual contribution of relief for maimed sick Souldiers and Mariners, and offered a Plot in Articles for a Bill to be framed to that purpose, and prayeth the reading of the said Articles. Which being thereupon read by the Clerk accordingly and well liked of by the House, the said Articles were by Order of the House referred to the said former Committees, (whose names see before on *Monday* the 12th day of this instant *March* foregoing) to draw a Bill thereupon to that purpose accordingly.

Mr. *Francis Bacon*, one other of the said Committees, very well liking and much commending the said endeavours and Reports of the said Mr. Vice-Chamberlain and Sir *Robert Cecil*, maketh a Report at large of the Conference of the Committees of this House had with the Committees of the Lords concerning the continuance of Statutes, to about the number of twenty five or

twenty six he said. And so entring into the particularities thereof, in sundry degrees, whereof some were doubtful and some disputable; amongst the said Committees on both sides it was thought fit for this time it should be left to further Conference amongst the said Committees accordingly.

The Bill concerning the assurance of certain Lands and Tenements to *Read Stafford* Esquire and *Mabil* his Wife, and to the Heirs of the said *Read*, was read the third time, and passed upon the Question.

Mr. *Calfeild*, Mr. *Lewkenor*, Sir *Humphrey Foster*, Mr. *Valentine Knightley*, Mr. *Finch*, Mr. *Reynold*, Mr. *Fulk Grevill* and Mr. *Broughton* were added to the Committees for *George Ognell* appointed on *Friday* the 16th day of this instant *March* foregoing.

The Bill and Committees names concerning Petite Larceny appointed on *Friday* the 16th day of this instant *March* foregoing, was delivered to Mr. *Hubbert* one of the said Committees.

And the Bill against Counterfeiting of Councillors hands, &c. committed on *Saturday* the 10th day of this instant *March* foregoing, was delivered to Sir *John Wolley* one of the said Committees.

In the Afternoon.

The Bill for granting of three intire Subsidies and six Fifteenths and Tenths to her Majesty was read the second time, and the Proviso for the five Ports was then altered, and also twice read. The said Bill upon the question was Ordered to be ingrossed.

Nicholas Curwen and *Wilford Ramson* Esquires, returned into this present Parliament Knights for the County of *Cumberland*, are for their necessary Service in the affairs of her Majesty licensed to depart.

On *Tuesday* the 20th day of *March*, Three Bills had each of them one reading; of which the last being the Bill touching the Sale of the Gray-Friers in the Town of *Cambridge* was twice read and Ordered to be ingrossed. By vertue of which said Bill, upon the Sale of the said Friery, the Colledge now called *Sidney Suffex Colledge* was built in the said Univerfity.

Mr. *Cradock*, one of the Committees in the Bill for the better Execution of the Procefs and against Recusants, (committed on *Thursday* the 15th day of this instant *March* foregoing) shewed, that he and the residue of the Committees have met together, and upon good considerations have thought good to amend sundry things in the said Bill. And opening unto the House the effects of some Amendments, the same Amendments being thereupon read to the House, it was Ordered upon the question that they should be inserted into the said Bill accordingly.

Sir *John Wolley*, one of the Committees in the Bill against counterfeiting of Councillors and principal

principal Officers hands, (appointed on *Saturday* the 10th day of this instant *March* foregoing) shewed, that he and the residue of the Committees have met together, and upon the end of their Travel therein do all of them think it a very dangerous Bill, and not fit in their opinions to pass this House. And did further think good to leave the same to the good consideration of this House. And because it is a Bill which came from the Lords, they thought good with the said report first made to deliver the said Bill again into this House, and so there to leave it in such sort as it is and not otherwise.

The Bill concerning the Lands late of *Henry* late Lord *Burgavenny* was upon the second reading committed unto Mr *Thomas Fane*, Sir *Henry Knivett*, Mr Recorder of *London* and others. And the Bill was delivered to Sir *William Howard*, one of the said Committees, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

Four Bills of no great moment were sent up to the Lords by Mr Vice-Chamberlain and others; of which the first was touching the sale of *Raven's* Lands, and another touching salted Fish.

It is Ordered, that touching the Bill against Alien Strangers selling by way of Retail, whereof report was now made by Mr Recorder of *London*, one of the Committees in the same Bill, of that which was done yesterday by such of the Committees as then did meet, or at the least by the more part of them, viz. by five, there being in very deed but nine in all, both parts should be heard to Morrow in this House with their Council.

The Bill for Confirmation of Letters Patents to the Mayor, Sheriff, Citizens and Commonalty of the City of *Lincoln* was read the third time, and passed upon the question.

Mr Serjeant *Owen* and Mr *Powle* did bring word from the Lords, that their Lordships desire Conference with the Committees of this House upon *Thursday* next at two of the Clock in the Afternoon in the Chamber next the Upper House, touching the Continuance of Statutes and relief of poor maimed Souldiers, if this House shall so like. Which Message being opened to the House by Mr Speaker, it was Ordered by this whole House, that the former Committees of this House (whose names see before on *Monday* the 12th day of this instant *March* foregoing) should attend their Lordships at the said time and place accordingly. Which resolution of this House was also thereupon signified from this House to their Lordships by the said Mr Serjeant *Owen* and Mr *Powle*.

The Bill for the better expedition of Justice in the Court of Star-Chamber was read the second time. After the reading of which Bill Mr *Francis Bacon* stood up and spake very earnestly against it, by means whereof, as it should afterwards seem, the Bill was Dashed. Which said Speech containing divers matters of

good moment in it, although it be omitted in the Original Journal-Book it self, yet I have thought good to supply it out of the aforesaid Anonymous Journal more particularly mentioned at the beginning of this present Journal, being in manner and form following.

Mr *Francis Bacon* after silence made, spake as followeth: Neither Profit nor Peril shall move me to speak against my Conscience in this place. Yet because I am a party interested in this Office which the Bill aims at, so may I seem to speak with feeling; my self also not thinking it fit, that being here a Judge, I should speak also as a party: yet I beseech you as the manner is in places Judicial, if the Judge be a party, though he sit not there as Judge, yet may he defend and speak at the Bar as a party in his own Cause. So I beseech you, because I may hap to yield reason to the satisfying of any that yet may stand for the Bill, let me be heard to speak at the Bar. And then he offered to go to the Bar, but the House in favour would needs have him speak in the place where he sat. First there is cunning shewed in the Bill, and for that my Lord Keeper might be affected, it seems to give him the bestowing of the Clerks places. Secondly, to insinuate with practising Lawyers, it gives them a Fee; For no Interrogatories should be administered whereto their hand was not under. Thirdly, it offered also some kindness to me, for it gave a present Forfeiture of the Office upon sundry defaults. Fifthly, to the subject in general it pretended a very great relief. So that it carried a plausible show, but indeed the Bill was in it self prejudicial to her Majesty, inconvenient to the Judges of that Court, and burthensome to the Subject. Prejudicial to her Majesty, for it makes a diminution of her Inheritance; Inconvenient, for the Clerks place hath always been in her Gift, and this Bill would carry it to the Lord Keeper, who never before had it.

It is an Indignity offered unto the Court, for that the Clerk must be Ordered by an Act of Parliament, as if their wisdom and Care were not sufficient to relieve any abuses they should find in their Officers to the grief of the Subject.

Great Injury is offered to the parties interested; for first, an Office which is incident unto the Clerk is given from him, he shall not have the appointing of his own Examiner. And again the Ancient Fee hath always been twelve pence the sheet, and as much in other Courts; therefore this is not tolerable. And considering the place of his Attendance, his place is in the highest Court, wherefore in reason his Fee is to have proportion with his Attendance.

Now where relief and Ease were pretended to the Subjects, no such thing will come by the Bill, but rather a greater Charge; for it gives a Fee for Judicial Acts, as for making Reports, for which no such Fee is due. It appoints that a Councillors hand must be to all Interrogatories; so their Clyents must pay a Fee more than usually. Also whereas he used upon Commission (the parties talking with

with their Deponents) to have Cause presently to draw Interrogatories they thought not before ; now they cannot minister any such Interrogatories ; nay to every Commission fitting they must bring their Council, which will be an exceeding great charge.

Besides, the Commissioners are bound under a pain not to accept Interrogatories that are not signed under a Councillors hand ; so the Commissioners must take notice at their peril who be Councillors admitted to the parties, who not. These with many other reasons.

There was much division thereupon. Wherefore the Speaker propounded the question, that as many as will not have the Bill rejected say I, and the other to say No. The voice was so indifferent that it could not be discerned which were greater. Then the question grew whether part should go out, those that said I, or those that said No,

Mr Speaker said, the Order of the House is, that the I being for the Bill must go out, and the No against the Bill doth always sit. The reason is, that the Inventor that will have a new Law, is to go out and bring it in ; and they that are for the Law in possession must keep the House, for they sit to continue it.

Thus far out of the aforesaid Anonymous Journal. The further Passages of this day and part of the next do follow out of the Original Journal-Book it self.

Mr Attorney General and Mr Doctor Stanhop do bring from the Lords a Bill Intituled An Act for Explanation and Confirmation of her Majesties Title to the Lands and Tenements late of Sir Francis Englefield Knight, Attainted of High Treason.

On Wednesday the 21th day of March, Three Bills of no great moment had each of them one reading ; of which the last being the Bill for the maintenance of the Haven in the Town of Colchester, and for the paving of the same Town, had its first reading.

The Amendments in the Bill touching the breadth of Plunkets, Azures and Blues being twice read, the Bill was upon the question Ordered to be ingrossed.

The Amendments in the Bill for the more speedy and due Execution of Process against Recusants being twice read, the Bill was upon the Question Ordered to be ingrossed.

The Council on both sides were this day heard at large in this House in the Bill against Aliens selling by way of retail any Foreign Commodities, and afterwards sequestred. Which done, the Amendments intended by the Committees in the said Bill were read unto the House, and after the reading Ordered upon the question to be inserted into the same Bill accordingly. After which there followed divers long Speeches and Arguments on both sides both with the Bill and against the Bill, which said Speeches being omitted in the Original Journal-Book of the House of Commons, are in respect of the great weight

of this matter touching Aliens now controverted, supplied out of the aforesaid Anonymous Journal (more particularly mentioned at the beginning of this present Journal) in manner and form following, viz.

Mr Francis Moore (of the Middle-Temple) being as it should seem at the Bar, of Council with the City of London, and in their behalf to speak for the making of a new Law, by the Order of the House spake first, and did at large set forth the inconveniencies that grew to our Nation and Tradesmen by suffering Tradesmen to retail. First because that Strangers Wares are better than ours, which causeth that our Retaylors have no sale of their Wares. They sell cheaper, though their Wares be as good as ours. And this is by reason they have Factors beyond the Seas that are their Friends and Kinsfolks, and so they save that Charge. A thing to be noted. And wheresoever they are, our own native Retaylors are Beggars. They receive Gentlemen and Yeomens Sons to be their Apprentices, themselves being Retaylors, and this is no Trade afterwards for them to live on ; So many Beggars be made consuming their time under them. Their retailing Beggering our Retaylors makes a diminution of the Queens Subsidies. Their riches and multitude makes our Estate poorer and weaker, for they stick upon our wealth, and carry it into Foreign Countries.

In the Statute Richard 3. Cap. 9. there appeareth the like Complaint that now is, which being then made unto the King was then remedied, as appeareth by the Statute. And for the Objections made, First that it were against Charity, that Strangers fleeing hither for Religion and relief should be restrained from the means of getting their livings ; Secondly, that their retailing lesseneth the prices of our Wares, and encreaseth the number of Buyers ; and Thirdly, that it were violating of their priviledge, if we have them by their diminution. The priviledge of St Martins hath always been allowed, and now not to be denied. To Answer to these in Order.

First, Charity must be mixt with Policy ; for to give of Charity to our own Beggering, were but Prodigality ; and such Charity we use ; for we allow them all Trades that they have been brought up in ; but retailing is a thing that they were never brought up unto in their own Countries, so no reason to allow it them here.

To the second, they buy of us, and sell as brought from beyond Seas ; and upon this opinion sell our own Wares dearer than we can do.

Their priviledge of Denization is not to be allowed above the priviledge of Birth, and our Natives are not allowed to Retail and Merchandize as they do. And it may appear by a former Statute, that notwithstanding their Denization they have been bound under the Statute 34 H. 8.

And though the Stranger Merchants pay double Subsidies, yet Strangers Retaylors do not, but

are taxed by the place, and that under value, because their goods and wealth is secret: but barr retailing, and they will all of them be Merchants, and so the Subsidy shall be doubled.

St *Martins* was first allowed for a Sanctuary, and for that Cause had his privilege, and not to be so ill a Neighbour to the City as to rob it as it doth; and by former Statutes St. *Martins* hath been barred, as by the Statute 21 H. 8. appeareth, only the Statute of 14 H. 8. exempted it.

Mr *Proud* of *Lincolns-Inn* (being as it should seem at the Bar, of Council with the Strangers, and in their behalf to speak) made particular Answer to Mr *Moore* for Strangers in resisting his Answers to the five Objections. Then he offered, if the Liberties of the Natives born might be granted to Strangers, they would seek no more, for they desired but to trade in all parts of the Realm.

Mr *Hill* of *Lincolns-Inn* (of Council also with the Strangers, spake next and said, Make it Law that they shall not retail, and the Merchants hereafter will require a Law that they may not use Merchandise; and so the Shoo-maker, Taylor, and others, that they may not use their Trades, and in denying them one, you take away all. (Upon this instant Mr Speaker delivered a Bill which desired they might be barred of such Trades as to be Shoo-makers and such like. But this Bill was thought to be put in by the Strangers themselves of Policy. This I thought.) And besides these Retaylors themselves be not Aliens, but far Foreigners, such as have forsaken their own Countries and Liberties to live here in ours, and home they dare not resort.

Further, of the things they retail we have no Company or Trade here in *England*, and therefore it were unreasonable to bar them of their said Retailing.

It should seem that these three last before-named were all of the Council of either part that spoke at the Bar, and that the Speeches following were all of them uttered by several Members of the House.

Sir *John Wolley* spake next, as it should seem, after the Council of either part had been heard at the Bar, and said: This Bill should be ill for *London*, for the Riches and Renown of the City cometh by entertaining of Strangers, and giving liberty unto them. *Antwerp* and *Venice* could never have been so rich and famous but by entertaining of Strangers, and by that means have gained all the intercourse of the World.

Mr *Fuller* spake next against Alien Retaylors, and said: The Exclamations of the City are exceeding pitiful and great against these Strangers; nay had not these latter quiet times in their own Countries, and our troubles made many of them retire home, the Citizens would have been in uproar against them: The which if the Government of the City repress not, they will be apt enough to it. It is no Charity to have this pity on them to our own utter undoing; for of them

there ought none to be sworn a Denizen, but he should first swear he is not worth five pound. This is to be noted in these Strangers, they will not converse with us, they will not marry with us, they will not buy any thing of our Country-men. Their retailing is the cause that all things be at that price with us. For they make Lawns Velvets, Rashes, Taffataes, Linnen-Cloth, and all this they sell to us also. Now whosoever maketh a thing and selleth a thing, raiseth the price of it. The Retailing Stranger buyeth nothing of our Country Commodities, but all he layeth out he buyeth from beyond the Seas. The Searchers have sometimes taken seven thousand pound of theirs at a time.

Sir *Edward Dymock* speaking for the Strangers, said: The Beggery of our home Retaylors comes not by the Strangers Retailing, but by our home ingrossers; so that if our Retaylors might be at the first hand, they might sell as good cheap as the Strangers. But this Bill is thrust into the House by our home Ingrossers, of Policy, that their beggering of our Retaylors might be imputed to the Strangers Retailing. The Strangers here purchase dear. And beyond the Seas it is lawful for the Strangers, in the places of the best Traffick, to trade in any thing. In *Venice* any Stranger may buy, sell, or purchase House or Lands, and dispose thereof by his Will, or otherwise at his pleasure, as freely as any Citizen. And this may we do then in some sort. The Strangers are not they that transport our Coin, but it is our Merchants. For it is to be seen in all the *Low-Countries*, where her Majesty uttereth much Treasure, there is not so much English Coin to be had, as in the same Towns where the Merchants trade. And of my own Experience I know a Town in the *Low-Countries*, where a Contract of twenty pound was made by an English Merchant, and he agreed to pay it all in English Angels.

Mr *Dalton* against the Strangers said, That ingrossing ought to be suffered amongst Merchants, because otherwise the Commodities lying to be sold in parcels, would be consumed in Expences before the Ship were discharged. Therefore for Merchandise sake this is to be suffered. He imputed the Beggery of the City to Strangers, and said, that in some one Parish there were a thousand lived by Begging.

Mr *Finch* spake for the Strangers, and said: We ought not to be uncharitable, but this must be the Rule, None must so relieve Strangers, as by it to begger themselves. But for their riches, it groweth chiefly by Parsimony, and where they dwell I see not that the Nation is so much grieved at them as here in *London*, for they contribute to all Scots and Lots as we do. Though they be a Church by themselves, their Example is profitable amongst us, for their Children are no sooner able to go, but they are taught to serve God, and to flee idleness; for the least of them earneth his meat by his labour. Our Nation is sure more blessed for their sakes. Wherefore as the Scrip-
ture

ture faith *Let us not grieve the Soul of the stranger.*

If this Stranger be both a Merchant and a Retaylor, there's a Law against him 15 *Eliz. c. 2.* But as I am for the Strangers of the Church, so not against any Law that should be made against such Strangers as be not of the Church, but here only for Merchandize; and those who have for Conscience sake only, may again (the fire being quenched) safely return into their own Countries. In 6 *R. 2.* An Act was made what Wares strangers should retayle and what not; but what is understood by this word *retailing*, or how far it is stretched, I know not: If Retayling stretch to sell that which they make here, as well as that which is brought from beyond Seas, this is too hard a Construction. In the days of Queen *Mary*, when our Cause was as theirs is now, those Countries did allow us that liberty, which now we seek to deny them. They are strangers now, we may be strangers hereafter. So let us do as we would be done unto.

Serjeant *Drew* said: There is no reason we should be without respect to Strangers, yet our Charity must be done with a feeling of our Countrymens grief: And although I think it not fit, that the Law should look back; to have old men, long inhabiting here, now to become Apprentices; yet that all things should be at liberty to all strangers, as it is, that were not convenient. Wherefore I could wish there might be a Law for those that should come hereafter only, and the strangers that be now might be restrained to their Retayling of some Wares especially. My Motion therefore is, That the House would continue the Committee of the Bill until a further day, that it may receive Motion from their deliberation.

Thus far out of the aforesaid Anonymous Journal, the relidue of this days passages that follow, and part of the next, are transcribed out of the Original Journal-Book it self.

After the aforesaid Speeches and Arguments the said Bill against Aliens selling by Retail was upon the question recommitted unto the former Committees (who had been appointed on *Tuesday* the 6th day of this Instant *March* foregoing) to meet again about the same Bill in the Afternoon of this present day; and the Bill was also delivered to Mr *Dalton* one of the same Committees.

Sir *William Bevel* Knight, one of the Knights returned for the County of *Cornwall* in respect of his Wifes extream sickness is by Mr Speaker licensed to depart.

Thomas Maylard, one of the Burgesses for *Hertford*, is for his necessary business at the *Assizes* licensed by Mr Speaker to depart.

On *Thursday* the 22^d day of *March* the Bill for the Grant of three intire Subsidies, and six Fifteenths and Tenths was read the third time, and passed upon the question.

Nota, That this Bill of the Subsidy, in respect of the greatness of the sum, passed the House of Com-

mons with very great difficulty, as may appear by those several days upon which it was agitated, *viz.* on *Monday* the 25th day of *February*, and on *Friday* the second day, *Saturday* the third day, *Tuesday* the 6th day, *Wednesday* the 7th day, *Friday* the 9th day, and *Saturday* the 10th day, *Tuesday* the 13th day, *Friday* the 16th day and *Monday* the 19th day of this instant *March* foregoing.

This day the House was called, and those Members of this House which were then present and did appear, did pay into the hands of Mr *Robert Wroth* and Mr *Warren* Esquires, their Charitable Contributions to the Relief of the poor in such proportion as had been agreed upon on *Monday* the 19th day of this instant *March* foregoing, *viz.* every Privy Councillor of the House 30. shillings; every Knight in degree, and every one returned a Knight of a Shire, though not of that degree, and every Serjeant at Law or Doctor of Law (because I suppose they are in some respects accounted equal to Knights) twenty shillings; and every Borough of the Cinque Ports and every Burges of the House five shillings.

There was also given by every Member of the House twelve pence a piece to the Serjeant of the said House, for his Attendance, and for the Charges of a Clock set up by him for the use of the House.

There is also one passage of this day more set down in the aforesaid Anonymous Journal, more particularly mentioned in the beginning of this present Journal, which is omitted in the Original Journal-Book it self, being as followeth.

A poor Burges of the House refused to pay his said Contribution of five shillings, would only pay two shillings six pence: whereupon the Speaker would have Committed him for disobeying the Order of the said House, but most of the Members of the same were against it, and so he escaped.

Thus far out of the aforesaid Anonymous Journal. The passages of the next day following are in part inserted out of the Original Journal-Book it self.

On *Friday* the 23th day of *March*, Two Bills of no great moment had each of them one reading; of which the last being the Bill concerning Woollen Cloaths and Kerseyes made in the County of *Devon*, out of Cities, Towns Corporate and Market Towns, was upon the second reading committed unto Sir *William Moore*, all the Knights and Burgesses of *Norfolk*, *York*, *Surrey*, *Kent*, *Somerjet*, *Devon*. and *Cornwall*, Mr Serjeant *Harris* and others; And the Bill was delivered to Sir *William Moore*, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in this House.

Mr Attorney of the Dutchy, one of the Committees in the Bill for Mr *Anthony Cook*, shewed that he and the residue of the Committees in that Bill (appointed on *Friday* the 16th day of this

instant *March* foregoing) have met and had Conference together, and that for sundry respects then opened by him to the House, they thought good to frame a new Bill: And so offered the same new Bill, praying it might be read.

Mr *Tasborough*, one of the Committees in the Bill for relief of Jurors appearing upon Tryals, bringeth in the old Bill with some Amendments, and prayeth that the same Amendments may be allowed of by the House; hereupon they were twice read, and Ordered to be ingrossed; but the Bill remained without any further course or question at that time.

Mr Serjeant *Harris*, one of the Committees in the Bill for Mr *Ognall* (which had been appointed on *Friday* the 16th day of this instant *March* foregoing) offereth a Report of the travel of some of the Committees; but it was upon a Counter-Motion made by And so it leaves imperfectly, but it should seem upon the said Counter-Motion made by some other Member of the House, the said Report offered to be made by Serjeant *Harris* was for this time put by.

The Bill for Explanation and Confirmation of her Majesties Title to the Lands late Sir *Francis Englefield's* Knight, Attainted of High Treason, was upon the second reading committed unto all the Privy-Council, Mr Attorney of the Dutchy, Mr *Nathanael Bacon* and others, who were appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr *Finch*, one of the Committees in the Bill for the Lord *Burgavenny* (which had been appointed on *Thursday* the 20th day of this instant *March* foregoing) shewed, that he and the residue of the Committees have met and considered of the parts of the said Bill, and find some defects in the same, chiefly in matter of form, and offered such Amendments unto the House as they thought fit; and prayed the same to be read: which being read by the Clerk, it was Ordered by the House that those Amendments should be added to the said Bill in a Schedule.

After which Report made by Mr *Finch*, it should seem that there followed further dispute this day touching that weighty business of Aliens retailing of Foreign Wares; which being wholly omitted in the Original Journal-Book it self, is therefore inserted out of the aforesaid Anonymous Journal, more particularly mentioned in the beginning of this present Journal, in manner and form following, *viz.*

Mr *Palmer*, Burgess for *London*, delivered the Bill for retailing, and signified, that the Committees could not agree upon it; so desired that it would be considered by the House what is fit in their opinions to be done. But the said Mr *Palmer* was none of the said Committees.

The Speaker was thereupon ready to put it unto the Question, whether the Bill should be ingrossed; but the House would not have it so suddenly put to the Question. Mr *Palmer* proceeded and said, That the Strangers of late are grown to so great a number, that they being but

forty open Retaylors, have undone since the last Parliament sixty at least of our English Retaylors, for so many are now Beggars that were forty pound Subsidy in the Queens Book. Their retailing hath inanced the price of all Wares, such as they retail: for when they retailed not, but our English used the sale of fine Lawnes, Hollands and Cambricks, they were better cheap by fifteen pound in an hundred.

The Retailors here are but Factors to such as are Merchants beyond the Seas, so they are both Merchants and Factors; a thing which if we should use beyond the Seas, the Law would be fiery to us, or fire should be our Law if we withstood. And those places where we trade with our Cloth, should we retail it also, we should so inhaunce the price, that they would not be very glad of our Traffick. But this mischief is suffered amongst us by the Dutch.

It is to be proved that there were twenty Retaylors in *London* that passed ten or twelve thousand pound a piece in a year; and this twenty thousand pound a year at the least the Strangers carry out of the Realm, for of our Commodities they esteem nothing.

Where it was said the other day, our Merchants did carry our Coin out of the Realm, there is a restraint now that none shall do it. And it is to be shewed that the Merchants do Weekly bring in twelve or fifteen hundred pound, and sometimes two thousand weight of strange Coin.

Now whereas it is so much urged to be against that Charity which is commended to us by *Moses* towards the Stranger, let *Moses* tell us who is that Stranger; even the Fatherless and Widow. Wherefore from them we must not reap too clean, but cast out some handfuls for them to gather up: when we gather our Vintage, or when we gather our Corn, we must not gather too clean. But shall we be put out to glean and give our Fields to them? That were beyond Charity. Wherefore let *Moses* be expounded by the same Spirit. The Apostle saith, That *he that provideth not for his Family is worse than an Infidel*. Let us then have an Eye to our Country and our poor Country-men. You be here as *Patres Patriæ*, you be here as amongst the Romans the *Patres conscripti*: I beseech you have respect unto this City, upon whose flourishing Estate the whole Realm dependeth.

Sir *Walter Raleigh* spake next and said: Whereas it is pretended, That for Strangers it is against Charity, against Honour, against profit to expel them; in my opinion it is no matter of Charity to relieve them. For first, such as fly hither have forsaken their own King; and Religion is no pretext for them, for we have no Dutchmen here, but such as came from those Princes where the Gospel is Preached, and here they live disliking our Church. For Honour, It is Honour to use Strangers as we be used amongst Strangers; And it is a lightness in a Common-Wealth, yea a baseness in a Nation to give a liberty to another Nation

which we cannot receive again. In *Antwerp* where our intercourse was most, we were never suffered to have a Taylor or a Shoemaker to dwell there. Nay at *Millain* where there are three hundred pound English men, they cannot have so much as a Barber amongst them. And for *Profit*, they are all of the House of *Almoigne*, who pay nothing, yet eat out our profits, and supplant our own Nation. Custom indeed they pay, paying fifteen pence where we pay twelve pence, but they are discharged of Subsidies. The nature of the Dutchman is to fly to no man but for his profit, and they will obey no man long, now under *Spain*, now under *Mounfort*, now under the Prince of *Orange*, but under no Governour long. The Dutchman by his Policy hath gotten Trading with all the World into his hands, yea he is now entring into the Trade of *Scarborough* Fishing, and the Fishing of the *New-found-Lands*, which is the stay of the *West-Countries*. They are the people that maintain the King of *Spain* in his Greatness. Were it not for them, he were never able to make out such Armies and Navies by Sea; it cost her Majesty sixteen thousand pound a year the maintaining of these Countries, and yet for all this they Arm her Enemies against her. Therefore I see no reason that so much respect should be given unto them. And so to conclude, in the whole cause I see no matter of Honour, no matter of Charity, no Profit in relieving them.

Sir Robert Cecil spake next and said: When I first heard this Bill read, I promised my self silence for it speaks of Trades, wherein I have no skill: But upon so great dispute as it hath received on both sides, and that very thoroughly and wisely, my understanding is cleared, and I see that now which I saw not before. What the word *Retailing* meant, I understood not before, but now it is brought to a matter of Charity to relieve Strangers, and especially such as do not grieve our Eyes. This hath brought great Honour to our Kingdom, for it is accounted the refuge of distressed Nations, for our Arms have been open unto them to cast themselves into our Bosoms: But yet our Charity unto them must not hinder or injure our selves. Now as the Bill is, it is not sufficient for this purpose: And if it be put to a Question, it must either be dashed or put to ingrossing. And for my own Conscience, if the Question be now made, I am not resolved to give my Voice. It were not for the gravity of the House nor the credit of the Committees to have it rejected upon the sudden, and as it is now, it is not fit to pass in my conceit. I see the Citizens themselves will be well assenting unto the reforming of the same; for Mr Recorder yesterday speaking with Zeal for the City, yet with good regard thought the Bill might receive great moderation. And thereupon the House was well pleased to stay the Bill and commit it again to the former Committees, to whom were further added Sir Robert Cecil, Sir Walter Raleigh, Sir Henry Knivet, Mr Wroth and others, who were

appointed to meet with the former Committees (who had been nominated on *Tuesday* the 6th day of this instant *March* foregoing) this Afternoon at two of the Clock in this House.

Now followeth the next days Passages and some others ensuing out of the Original Journal-Book.

On *Saturday* the 24th day of *March*, the Bill touching Clapboards and Casks was twice read and committed unto the Committees that follow, viz. Mr Treasurer, Mr Wroth, Mr Francis Bacon, Mr Finch and others, and the Bill was delivered to Mr Treasurer, who with the rest was appointed to meet at two of the Clock this Afternoon in the Exchequer Chamber.

The Bill and Committees names touching the Lands late Sir Francis Englefields Knight, Attainted of High Treason, (who had been nominated on *Thursday* the 22th day of this instant *March* foregoing) were delivered to Mr Vice-Chamberlain.

The Bill for relief of maimed Souldiers and Mariners was upon the second reading committed unto the former Committees (whose names see before on *Monday* the 12th day of this instant *March* foregoing) and Sir Robert Cecil, Mr Richard Brown, Mr Hubberd and others were added unto them, and appointed to meet on *Monday* next at two of the Clock in the Afternoon in the Exchequer Chamber, and the Bill and Committees names were delivered to Sir Robert Cecil, *Vide plus* March 28.

Mr Speaker being moved by Mr Edgecombe to read the private Bill for the Town of *Stonehouse*, and offering to have the Bill read first which came from the Lords touching Popish Recusants, being a publick Bill and remembred from her Majesty; It was upon the further arguing of Sir Edward Dymock put to the question of the House whether the same Bill for the Town of *Stonehouse* should be read or no, and upon the Question made was Ordered no.

Four Bills were sent up to the Lords by Mr Vice-Chamberlain and others; of which one was the Bill for Subsidy, and the other touching the Sale of the *Gray-Fryers* in *Cambridge*.

Mr Serjeant Owen and Mr Doctor Stanhop do bring from the Lords a Bill intituled, An Act to give liberty to the Lord *Harrowden* to sell certain Lands for the payment of his debts.

The Bill for restraining of Popish Recusants to some certain places of abroad, with the Amendments, were first twice read, and the Bill and Proviso upon the third reading passed upon the Question.

Sir Walter Raleigh, one of the Committees in the Bill against Aliens retailing of Foreign Wares, shewed the travels of the Committees, and offereth unto the House the Bill with a Proviso; And the Proviso being twice read, the Bill and Proviso upon the Question were Committed again to the former Committees, and the Bill was delivered to Mr Dalton one of the said Committees, who were appointed to meet at

two of the Clock in the Afternoon of this present day in the Exchequer Chamber.

On *Monday* the 26th day of *March*, Two Bills of no great moment had each of them one reading; of which the last concerning Spinners and Weavers was upon the second reading committed unto Mr Chancellor of the Exchequer, Sir *William Knowles*, Sir *Moyle Finch*, Sir *Francis Hastings* and others, and the Bill was delivered to Sir *William Knowles*, who with the rest was appointed to meet to Morrow in the Afternoon in the Exchequer.

Mr Speaker shewed, that he had received a Bill Signed by her Majesty for the Restitution in Blood of Sir *Thomas Parrot* Knight Son and Heir of Sir *John Parrot* Knight deceased lately attainted of High Treason. Whereupon

The Bill for Restitution in Blood of Sir *Thomas Parrot* Son and Heir of Sir *John Parrot* Knight deceased Attainted of High Treason, was twice read.

Mr Vice-Chamberlain, one of the Committees in the Bill concerning Lands late Sir *Francis Englefields* Knight attainted of High Treason (who had been appointed on *Thursday* the 22th day of this instant *March* foregoing) shewed, that he and the residue of the Committees in the same Bill have met together, and for certain things considered therein by them touching some Misprisions and imperfections both in sence and in writing, have thought good, that the said Committees of this House might upon a Motion to be made unto the Lords for Conference touching the said Misprisions and Imperfections have Conference with their Lordships therein, for that the same Bill came from their Lordships. Which upon that motion was assented unto by the whole House accordingly.

And immediately after, the Bill for restraining Popish Recusants to some certain places of abroad lately passed with some amendments in this House, which before came from the Lords; and the Bill also for Confirmation of the Joynture of the Lady *Margaret* Countess of *Cumberland*, which likewise lately passed in this House; and did also before come from the Lords, were sent up to the Lords by Mr Vice-Chamberlain and others, with Order furthermore of this House to move their Lordships for the said Conference touching the said Misprisions and Imperfections, in the Bill touching the said Lands, lately the said Sir *Francis Englefields*.

The Bill for the bringing of fresh water to the Town of *Stonehouse* was upon the second reading committed unto Sir *Francis Drake*, Mr *Edgecombe*, Sir *Thomas Conisby*, Mr *Dalton*, and others, who were appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

The Bill for the Haven of *Plymouth*, and the Bill for the Inning of *Plimpton* Marsh were each of them read the second time, and committed to the former Committees in the Bill for the Town of *Stonehouse*, to meet at the same time and place, and the Bills were both of them delivered to Sir

Francis Drake one of the said Committees.

The Bill concerning the Lands of *Henry* late Lord *Burgavenny* had its third reading, and the amendments were also read the third time, and the Bill with the Amendments passed upon the Question.

The Bill touching the Assize of Fuel was upon the second reading committed unto Mr *Humphrey Conisbie*, Mr *Fanshaw*, Mr *Wroth*, and others, and the Bill was delivered to Mr *Fanshaw*, who with the rest was appointed to meet this present day at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr Serjeant *Owen* and Mr Doctor *Ford* do bring word from the Lords, that their Lordships according to the request of this House have assented unto the Conference demanded touching the said Bill, concerning the Lands late Sir *Francis Englefields* lately Attainted of High Treason; and that their Lordships have appointed the time to be to Morrow Morning at eight of the Clock at the accustomed place.

The Bill to give liberty to the Lord *Harowden* to sell certain Lands for the payment of his debts, had its first reading.

Mr Serjeant *Owen* and Mr Doctor *Ford* do bring word from the Lords, that touching the amendments of this House in the Bill which first passed in the Upper House, and was afterwards sent down unto this House; for restraining of Popish Recusants, to some certain places of abroad, and then passed in the House with some Amendments, and sent unto their Lordships this present day, their Lordships do desire that these Committees of this House which are appointed to have Conference with their Lordships to Morrow touching the said Bill concerning the Lands late Sir *Francis Englefields*, may also have Authority from this House at the same time and place to have Conference likewise with their Lordships touching the said Amendments of this House in the said Bill for restraining Popish Recusants to some certain places of abroad. Which afterwards upon the Return of that Message made unto that House by Mr Speaker was assented unto by the whole House accordingly, and so signified also unto the said Mr. Serjeant *Owen* and Mr. Doctor *Ford*.

On *Tuesday* the 27th day of *March* Mr. *Fuller*, one of the Committees in the Bill for repealing of a branch of a Statute made in *quarto & quinto Phil. & Mar.* intituled An Act touching the making of Woollen Cloath, shewed the Travel of the Committees in the same. Whereupon after some other speeches then moving the House, the said Bill was recommitted to the former Committees (who had been appointed on *Wednesday* the 14th day of this Instant *March* foregoing) to meet again this Afternoon.

The Bill touching the true and lawful Assizing of Bread was read the second time, and upon the doubtfulness of the Voices whether it should be Ingrossed or no, was upon the Question by the division of the House rejected, with the difference

ference of twenty seven Voices, *viz.* with the Yea sixty five, and with the No ninety two.

The Bill to make void the Spiritual Living of those that have forsaken the Realm, and do cleave unto the Pope and his Religion, was twice read, and Ordered to be ingrossed.

The Bill against Strangers retailing of Foreign Wares was read the third time, and after many long Speeches both with the Bill and against the Bill, passed upon the Question by the division of the House, with the difference of fourscore Voices, *viz.* with the Yea a hundred sixty two, and with the No eighty two. *Vide* concerning this business on *Tuesday* the 6th day, on *Tuesday* the 20th day, *Wednesday* the 21th day, and on *Friday* the 23th day of this instant *March* foregoing.

Matthew Jones Gentleman, being found sitting in this House, and no Member of the same, was brought to the Bar, and there being charged by Mr Speaker for his said offence, humbly excused himself by Ignorance; and appearing unto the House to be a simple ignorant old man, was upon his humble submission pardoned to be discharged to Morrow, paying his Fees, and Ordered in the mean time to remain in the Serjeants Ward of this House.

Mr Serjeant *Owen* and Mr Doctor *Stanhop* do bring word from the Lords, That upon *Thursday* next at two of the Clock in the Afternoon in the accustomed place. Three Earls, three Barons and three Bishops of the Upper House, are appointed to have Conference with some of the Members of this House, if this House should so like, touching a Proviso to be devised for Females Coverts mentioned in the Amendments of this House to the Bill which passed with their Lordships for restraining of Popish Recusants to certain places of abroad: And shewed, that their Lordships did like very well of the residue of the said Amendments. Which passage being opened unto the House by Mr Speaker, it was Ordered that a competent number of Committees in the said Bill (who had been appointed on *Wednesday* the 28th day of *February* foregoing, should attend their Lordships, which was so signified unto the said Mr Serjeant *Owen* and Mr Doctor *Stanhop*.

After which the said Mr Serjeant *Owen* and Mr. Doctor *Stanhop* do again bring word from the Lords, that touching the date of the beginning or of a Prorogation of a Parliament mentioned in the Bill touching Sir *Francis Englefield's* Lands, their Lordships do desire, that at the Conference about Recusants, already appointed on *Thursday* next, a Committee of this House may then also confer with their Lordships in that matter also. Which was then granted.

The Bill for Mr. *Anthony Cooke* was read the third time, and passed upon the Question.

On *Wednesday* the 28th day of *March*, the Bill for reviving, continuing, explanation and perfecting of certain Statutes was twice read, and committed to the former Committees (whose names see before on *Monday* the 12th day of this

instant *March* foregoing) and unto Mr. *Heiman*, Mr. *Dewbty*, Mr. *Rotheram*, Mr. *Finch*, Mr. Attorney of the Dutchy, the Burgesses of the Cinque-Ports, Mr. *Broughton*, Mr. *John Hare*, Mr. *Penruddock* and Mr. Doctor *Cesar*, and the Bill was delivered to Mr. *Wroth* one of the former Committees, who with the rest was appointed to meet in this place at two of the Clock in the Afternoon of this present day.

Sir *Robert Cecil*, one of the Committees in the Bill for the relief of poor maimed Souldiers, (who had been appointed on *Monday* the 12th day of this instant *March* foregoing) shewed, that the Committees have met together, but in effect upon sundry reasons shewed amongst them by divers of the said Committees to contrary effects, they could come to no Conclusion, but rather to a meer confusion upon the points of the matter; for his own private part said in the end, That as this House had committed the said Bill unto him and the residue of the said Committees, so had he thought good to commit the same Bill to Prison rather than to return it to this House again in the same or no better state than they did before receive it.

Mr Treasurer, one of the Committees touching Clapboards and Casks (appointed on *Saturday* the 24th day of this instant *March* foregoing) shewed the meetings of the Committees and their Amendments to the Bill. Whereupon the said Amendments being read, the Bill and Amendments after some Speeches had to the same were recommitted to the former Committees, and Mr *Bucking* now added unto them, to meet this Afternoon.

The Bill for Naturalizing of certain Englishmens Children born beyond the Seas, was read the third time and passed upon the Question.

Mr *Boucher*, one of the Committees in the Bill for the Town of *Stonehouse* (which had been appointed on *Monday* the 26th day of this instant *March* foregoing) shewed the meeting of the Committees, and their Amendments to the Bill; which Amendments being twice read, the Bill with the Amendments were Ordered by the House to be ingrossed.

The Bill for restitution in blood of Sir *Thomas Parrot* Knight, had its third reading and passed upon the question.

The five Bills which last passed this House, *viz.* the Bill for restitution in blood of Sir *Thomas Parrot* Knight, the Bill concerning the Lands of *Henry* late Lord *Burgavenny*, the Bill against Strangers retailing of Foreign Wares, the Bill for Mr. *Anthony Cooke*, and the Bill for Naturalizing of certain English Mens Children born beyond the Seas, were sent up to the Lords by Mr. Treasurer and others.

The Bill for the Lord *Harowden* had the second reading, and thereupon was committed to Sir *John Harrington*, Mr. *Wroth*, Mr. *Hare* and others; and the Bill was delivered to Sir *John Harrington*, who with the rest was appointed to meet this Afternoon in this House.

Matthew

Matthew Jones Gentleman, Prisoner in the Serjeants Ward, being brought to the Bar and charged by Mr. Speaker with the greatness of his misbehaviour, in presuming to intrude himself yesterday into this High Court of Council being no Member of the same, and giving him grave admonition for his future dutiful behaviour, shewed him in the end, that in regard of his humble submission this House doth discharge him paying his Fees.

The Bill for the maintaining of Wier-Works was upon the second reading committed unto *Sir Edward Dymock*, Mr. Doctor *Cesar*, the Knights and Burgesses for *Tork* and *Torkshire*, Mr. *Wroth* and others, and the Bill was delivered to Mr. Doctor *Cesar*, who were appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

On *Thursday* the 29th day of *March*, Mr. *Broughton*, Mr. Attorney of the Dutchy, *Sir Thomas Dennis*, and *Sir Francis Gudolph* were added to the former Committees in the Bill for the Haven of *Plymouth* (who had been appointed on *Monday* the 26th day of this instant *March* foregoing) and appointed to meet at two of the Clock in the Afternoon of this present day.

The Bill concerning the Haven of *Colchester*, and the paving of the said Town, was upon the second reading committed unto Mr. Vice-Chamberlain, the Burgesses of *Colchester*, Mr. *Grimston* and others; And the Bill was delivered to Mr. *Wroth*, one of the said Committees, who with the rest were appointed to meet at two of the Clock this Afternoon in the Exchequer Chamber.

Mr. Treasurer, one of the Committees in the Bill touching Clapboards and Casks (appointed on *Saturday* the 24th day of this instant *March* foregoing) brought in the Bill with some Amendments, which being twice read the Bill was Ordered to be ingrossed.

Mr. Serjeant *Harris*, one of the Committees for the Lord *Harrowden* (appointed on *Wednesday* the 28th day of this instant *March* immediately foregoing) bringing in the Bill, and after Report made by him of the Travel of the Committees therein, the Bill was read for the third reading and passed upon the Question.

Mr. *Finch*, one of the Committees in the Bill for Continuation, Explanation and perfecting of certain Statutes (who had been appointed on *Wednesday* the 28th day of this instant *March* foregoing) reporteth the meeting and Travel of the Committees, and also the Amendments of the Bill in sundry things; which Amendments after many long Arguments and sundry questions, with the division of the House were in the end Ordered to be inserted into the said Bill.

On *Friday* the 30th day of *March*, Mr. *Broughton* and *Sir Edward Dyer* were appointed to attend my Lord Keeper touching the Return of the *Habeas Corpus cum Causa*, for the bringing up of the Body of Mr. *Fitzherbert* Esquire. *Vide* concerning this matter on *Thursday* the first day,

Friday the second day, and on *Saturday* the 17th day of this instant *March* foregoing; as also on *Tuesday* *April* the 3^d, and on *Thursday* *April* the 5th *postea*.

The Amendments in the Bill for Continuation, Explanation and Confirmation of the Queens Majesties Title to the Lands and Tenements late of *Sir Francis Englefield* Knight, being twice read to the House, and the Bill it self and the same Amendments read the third time also, passed upon the Question.

The Amendments in the Bill for Continuation, Explanation and perfecting of certain Statutes being twice read, were upon the Question after many and sundry Arguments to divers particular points in the same, Ordered upon the question in the end to be ingrossed.

Mr Vice-Chamberlain, one of the Committees in the Bill for maintenance of the Haven of *Colchester*, and the paving of the Town, appointed on *Thursday* the 29th day of this instant *March* foregoing) shewed, that he and the residue of the Committees have met together, and upon their Conference thought good to suppress the said Bill, for that they could not conveniently agree to such conclusion in the same as might satisfie the Inhabitants of the said Town: And shewed further the imparting of himself and the other Committees unto the Lords touching the Collection and distribution of the money to poor maimed Souldiers; And that thereupon their Lordships had appointed four of themselves for that purpose, which in that Case should join with such of this House as by this House shall be appointed. Whereupon Mr Vice-Chamberlain was Ordered to give their Lordships most humble thanks, and to shew them that after their Lordships shall have sent the Bill again to this House in such sort passed as their Lordships shall think meet, this House will thereupon then do therein what shall appertain.

Doctor *Carew* and Mr *Powle* do bring from the Lords a Bill Intituled, An Act for Confirmation of the Subsidies granted by the Clergy, together with the instrument for the same; with request also from their Lordships to this House for speedy Expedition of the same.

A Proviso to the Bill concerning the overlength of broad Cloth, was offered to the House, and after the twice reading thereof was Ordered to be ingrossed.

Mr Treasurer, Mr. *Warren*, *Sir Francis Drake*, Mr. *Wroth*, Mr. Doctor *Herbert*, *Sir Henry Unton*, *Sir Thomas Cecill*, *Sir Thomas Morgan*, Mr. *Oliver St John*, *Sir Thomas Baskerville*, *Sir Thomas Shirley*, Mr. *John Hart*, Mr. *Flower*, *Sir Robert Sidney*, *Sir Thomas Conisby*, are appointed to join with the Lords in the joint disposing of the Contribution of both Houses collected towards the relief of poor maimed Souldiers.

Nota; That this is all which is found in the Original Journal-Book of the House of Commons of this days Passages, and therefore there being an excellent Vote or Resolution of the House touching

touching the Addition and Amendments of Bills after their passing of either House, set down in the often before-recited Anonymous Journal, more particularly mentioned at the beginning of this present Journal, I have thought good to have it inserted in manner and form following.

If a Bill having passed the Upper House be sent down to the House of Commons, and be likewise upon the third reading allowed and expedited in that House, and from them sent back again to their Lordships with Alterations and Amendments thereunto added here, the Lords may either reject the said Bill or must pass it with the said Additions, and that nothing more can be inserted into the said Bill by their Lordships; but they must frame either a new Bill in the same matter or business, or send down the former old Bill with other Additions or Proviso as a new Bill: Or if a Bill being sent from the Lords to the House of Commons, do pass the said House also, as it had their Lordships before the sending down, it can never be again dealt in further by them.

Thus far out of the aforesaid Anonymous Journal: The next days Passages follow out of the Original Journal-Book it self.

On *Saturday* the 31th day of *March*, the Bill for Confirmation of the Subsidies granted by the Clergy and read the first Time passed upon the Question.

The Bill touching Casks brought in with more Amendments by Mr. *Wroth* one of the Committees, and the same Amendments being twice read, the Bill was upon the Question Ordered to be ingrossed.

The Bill for reviving, continuing, explanation and perfecting of certain Statutes was read the third time; And after sundry Arguments the two Provisoës touching the dealing with the reputed Fathers of Bastards being withdrawn upon the Question, the Bill upon the Question was passed afterwards accordingly.

Mr. Attorney General and Mr. Doctor *Ford* do bring from the Lords two Bills; the one Intituled an Act for the restraint of new Buildings, converting of great Houses into several Tenements, and for restraint of Inmates and Inclosures in and near unto the City of *London* and *Westminster*; and the other for the Explanation of a branch of a Statute made in the twenty third year of the Queens Majesties Reign, Intituled An Act to retain the Queens Majesties Subjects in their due Obedience, with some Additions to the same, with a Message also from their Lordships, to know the pleasure of this House touching their Lordships request, for the further Explanation by their Lordships to be made of some part of the Amendments of this House in the Bill lately passed their Lordships and sent hither unto this House, and afterwards by this House returned again unto their Lordships with some Amendments of this House, Intituled An Act for restraint of Popish Recusants to some certain places of abroad. And the said Mr. Doctor *Ford* also

shewed, that their Lordships prayed Expedition of the said Bills now brought down, for that the time of Parliament is like now to grow very short.

Mr. Speaker remembred unto the House the effect of the said Message from the Lords; whereupon it was resolved by the House, that Answer should be made unto the said Mr. Attorney and Mr. Doctor *Ford*, That if their Lordships should add any declaratory Proviso to the said Bill and send it down to this House, this House would thereupon then further do as shall appertain.

Mr. *Robert Penruddock*, one of the Burgeses returned for the Borough of *Milton*, for her Majesties Affairs, and also for his own business is licensed by Mr. Speaker to depart home.

Three Bills lastly had each of them one reading; of which the last concerning the over-length of broad-Cloth was read the third time, and passed upon the Question.

On *Monday* the second day of *April*, the Bill concerning Woollen-Cloths called *Devonshire Kersies* or *Dozens*, was upon the second reading committed unto the Knights and Burgeses of *Devon*, Mr. Serjeant *Harris*, Mr. *George Moore* and others, and the Bill was delivered unto Sir *Thomas Dennis* one of the same Committees, who with the rest were appointed to meet at two of the Clock this Afternoon in the Exchequer Chamber.

Six Bills were sent up to the Lords by Mr. Treasurer and others; of which the first was the Act for Confirmation of the Subsidies granted by the Clergy; and another touching the Lands of Sir *Francis Englefield* Knight, Attainted of High Treason; the residue being of no great moment.

Sir *William Bruncker*, one of the Committees in the Bill concerning Spinners and Weavers (who had been appointed on *Monday* the 26th day of *March* last past) shewed, that the Committees had met, and upon Conference amongst them thought good to make a new Bill: And so bringing in both the old Bill and the new, prayed the reading of the said new Bill.

The Bill for Explanation of a branch of a Statute made in the twenty third year of the Queens Majesties Reign, Intituled An Act to retain the Queens Majesties Subjects in their due obedience, with some Amendments to the same, had its first reading.

Three Bills of no great moment had each of them one reading; of which the second being the Bill against counterfeiting of Counsellors hands, &c. was read the third time, and dashed upon the Question.

The Bill for relief of maimed Souldiers and Mariners was twice read, and committed unto all the Privy-Council, the Knights and Burgeses of *London*, the Burgeses of *Tork* and others, who were appointed to meet this Afternoon at two of the Clock in this House.

Nota, That certain Members of the House were appointed to draw a Bill for the relief of

maimed Souldiers and Mariners on *Monday* the 12th day of *March* foregoing, which Bill being so drawn, was upon *Saturday* the 24th day of the said *March* upon the second reading referred to certain Committees, and was lately upon *Wednesday* the 28th day of the same Month upon the Motion of Sir *Robert Cecil* one of the said Committees withdrawn out of the House and no further proceeded in, and thereupon the aforesaid new Bill preferred this day and twice read.

Mr *Serjeant Owen* and Mr. Doctor *Carey* do bring from the Lords the Bill for restraining of Popish Recusants to some certain places of a boad, lately passed this House with some Amendments; shewing, that the Lords liking very well of the said Amendments have inserted those Amendments into the said Bill accordingly. And that their Lordships have further thought good to add unto the said Bill a Proviso, for Explanation of the Branch of the said Bill which concerneth the matter only of abjuration, have passed the said Proviso, and assailed the same to the said Bill, and sent it down to this House, to be also passed here if this House shall so think meet.

On *Tuesday* the third day of *April* the Bill concerning Spinners and Weavers was twice read, and committed to the former Committees (who had been appointed on *Monday* the 26th day of *March* foregoing) and Mr. *Wroth* and the Burgesses of *Tork* and *Norwich* were added unto them.

Sir *Thomas Denis*, one of the Committees in the Bill concerning *Devonshire* Kerseys and Dozens (appointed yesterday) shewed the meeting of the Committees, and that they have in some few things amended the Bill, praying the reading of the said Amendments; which being thereupon twice read, the Bill upon the question was ordered to be ingrossed.

The Bill concerning Brewers was upon the second reading committed unto Sir *Edward Dymock*, Mr *Stevenson*, the Knights and Burgesses for *London*, Mr *Wroth*, Mr *Peak*, and the Burgesses for *Oxon*, *Cambridge*, *Sandwich*, and *Newcastle* Under-line, who were appointed to meet at two of the Clock this Afternoon in the Exchequer Chamber.

The Return of the *Habeas Corpus cum Causa* made by the Sheriff of the County of *Darby* for Mr *Thomas Fitzherbert*.

Which short remembrance of this excellent Precedent (how far an Outlawed man may be a Burgess of the Parliament) is all that is found in the Original Journal-Book it self of the House of Commons. And therefore because there was much debate concerning it this day, as had been on divers other days foregoing (*viz.* on *Thursday* the first day, *Friday* the 2^d day, *Saturday* the 17th day, and on *Friday* the 30th day of *March* last past) have caused it to be transcribed at large out of the often before-recited Anonymous Journal, in manner and form following.

The House was informed that the Lord Keeper

had sent the Record of *Fitzherbert's* Execution hither to the House. The Chancery men who brought it were called into the House to the Bar and were appointed to read it *ut Clerici*. And the House appointed the Writ sent out of Chancery to be annexed unto the Record. The words of the Writ were *Tibi precipimus quod capias corpus Tho. Fitzherbert, quocunque, &c. Dat. apud. Westm. 7^o die Martii. 35 Eliz.*

The Sheriffs Return, *Deliberatum fuit hoc Breve 15. die Martii super, &c. sed ante adventum istius Brevis (scilicet) 3^o Februarii 35 Eliz. captus fuit Thomas Fitzherbert, &c.*

Mr *Dalton* said, The Return of the Writ being made unto another Court, and the Record it self being in another Court, we cannot be Judges of the matter, nor enlarge the party. And as for the Return, methinks it therefore insufficient, because it was not returned into this Court: And I see not how we can be Judges of the Return. For the number of voices in this Cause is not to be judged for Law, whether it be a good Return or not; for that which is Law, will notwithstanding rest for Law for all our Voices. Therefore I think that priviledge *quæ est privatio Legis* in this Case could not be granted.

Mr *Brograve* said, As to the matter of priviledge, the Cause to me is very doubtful, because priviledges in these Causes are very rare, and so the matter resteth in doubt. This Court for its Dignity and highness hath priviledge, as all other Courts have; And as it is above all other Courts, so it hath priviledge above all other Courts; and as it hath priviledge and Jurisdiction too, so hath it also Coercion and Compulsion; otherwise the Jurisdiction is nothing in a Court, if it hath no Coercion. Therefore it seemeth unto me, that the Return of the Writ ought to have been returned into the Court of Parliament; but whether the Return be to be made into the Upper House or Lower House, I know not.

For in many Cases we have divided Jurisdictions, and the Upper House hath Jurisdiction by it self, therefore if a Nobleman hath a Servant that were arrested, they might make their Writ of Priviledge returnable before themselves and give him Priviledge. And here in this House, if one that is a Member of this House and have sate here, be arrested *sedente Parlamento*, we are to give him Priviledge. But if he be taken before his coming hither, it is not in our power to deliver him, but we must have the assistance of other Courts in such Causes. The use is such in other Causes: If the Action be a Mahime, whether this be a Mahime or no the Court will not judge, until those that have Science in those things affirm it to be so. And so when a matter Ecclesiastical or Grammatical is in question the opinion of Civilians or Grammarians is known, before the Judgment is given. So in this Court, we ought to desire Instructions from the Judges of the Realm, whether in this Cause by the Law we can grant priviledge or no.

For Priviledge there be two Writs issuing out of

of this House; the one is a general *Corpus cum Causa*, and this is granted upon apparent cause of Priviledge: as if a Member of the House be taken *sedente Parlamento*. The other Writ is called a Writ of Parliament; this is granted when the Cause is to be judged by the Parliament. But whether Priviledge be to be granted to this party or no, it is not apparent. And in the Cause the Lord Keeper is not to be Judge; But here the whole Record is to remain, and we with the advice and opinion of the Judges are to consult if the party be to have priviledge.

Therefore seeing the Court hath Coercion in it self, let us with the advice of the Judges proceed as we have power: For if we give away our Coercion, we give away our Jurisdiction.

Mr Serjeant *Harris* said, the Record remaining in Chancery, this House is sufficiently possessed of it, even as in Case of all the Returns of Knights and Burgeses.

Mr *Francis Bacon* said, The Return is well, for the Return is an ensuing of the Writ that must be made under Seal.

As for taking the assistance of the Judges, it is a good course; for though we sit here to make Laws, yet until the new Law is made, the old Law is of force, and our Conference with them gives away no resolution from us, but taketh advice only from them.

Mr *Finch* said, in my opinion the Return should have been into this House. For a Writ of Error sued here, the Writ used to be returned hither, as it appeareth in 3 *E. 3.* and 17 *Edm. 3.* and

Vide 38 H. 8. fol. 60. a. Dyer.

1 *H. 7.*

It would seem by *Trewinnards Case* 38 *H. 8.* that a Writ of priviledge is never returned, but the party appearing the Court proceedeth.

Mr Speaker desired to know of the House if for their better Information, they would give him leave to speak; which the House willingly granted.

Whereupon he said: For the discharge of my own duty, and informing of your Judgments, who I know will judge wisely and justly, I will deliver unto you what I have learned, and what I have observed; for ever since the lodging of this Parliament, I have thought upon and searched after this Question, not particularly for this Cause, but this point, the priviledge of the House; for I judged it would come in question for many occasions.

The Question is drawn to two Heads, the one about the Writ, the other about the Return.

First, Whether the Writ might have gone out of this House. I will tell you plainly my opinion, I beseech you let me not be ill thought of, if I be rude in what I say, for it is my fault, I cannot speak so mildly as some; but my manner is, that which I speak, I speak sharply and somewhat roundly, but always with this tacite Condition, submitting my self to any better reason that shall be shown me.

Though any Court of Record hath this Jurisdiction to make out Processess, yet this Court cannot. Why? this may seem strange, that every Court in *Westminster*, every Court that hath Causes of Plea, every Lords Leet, and every Court Baron hath his power, that they may make out Process; yet this Court being the highest of all Courts cannot; how can this be? The nature of this House must be considered; for this Court is not a Court alone; and yet there are some things wherein this Court is a Court by it self, and other things wherein it is no Court of it self.

To know then how we are one House, and how we can be divided Houses, this would give great light to the Question.

At the first we were all one House and sat together, by a precedent which I have of a Parliament holden before the Conquest by *Edward* the Son of *Etheldred*. For there were Parliaments before the Conquest. This appeareth in a Book which a grave Member of this House delivered unto me, which is Intituled *Modus tenendi Parliamentum*; out of that Book I learn this, and if any man desire to see it, I will shew it him. And this Book declareth how we all sat together, but the Commons sitting in presence of the King and amongst the Nobles disliked it, and found fault that they had not free liberty to speak. And upon this reason that they might speak more freely, being out of the Royal sight of the King, and not amongst the great Lords so far their betters, the House was divided and came to sit asunder.

A bold and worthy Knight at the time when this was sought, (the King desiring a reason of this their request, and why they would remove themselves from their Betters) Answered shortly, That his Majesty and the Nobles being every one a great person, represented but themselves; but his Commons though they were but inferiour men, yet every one of them represented a thousand of men. And this Answer was well allowed of.

But now though we be divided in Seat, be we therefore divided Houses? No; for if any Writ of Error be brought, as you shall see a notable Case in 22 *E. 3.* this Writ must be returned in Parliament, that is, to the whole House, and chiefly then to the Upper House, for we are but a limb of the House. Now where a Record is removed upon a Writ of Error given to another Court, the manner is, that the chief of that Court bring the Writ in his hand to the House: But humbly sheweth unto the House, that the Record being remitted out of the Court, no Execution can go forth though the Judgment be affirmed. The Court of Parliament thereupon maketh Transcript of the whole Record, and returns the Record again to the Court; but if the Judgment be reversed, then the Record it self is Cancelled and rased. This I read in my Book.

For in this Case, whatsoever a man tells me I believe it not unless I see it written, *Non lego non*

credo, in these Cases. In the twenty third of the Queen, I was of Council with one in a Cause where we tryed all means to reverse a Judgment, and brought a Writ of Error in the Parliament, and the Writ was issuing out of the Parliament, and upon the *feri facias* was set *Domina Regina*, and it was under the Great Seal of England, and the Writ was returned in Parliament.

So this is plain the Writ is always returnable in Parliament; but if in Parliament, then of the Upper House, for of that House we are but a Limb. This Writ I have seen then thus returned, but never any man saw a Writ returnable in the Lower House; so for this I hold the Writ cannot be returnable into this House.

But now for the Authority we have, for though this be true, I say, yet I speak not to take any privilege from this House; for some things there are wherein we have Authority all of us. But this is certain whatsoever we do *sedente Parlamento*, it is the A^d of the whole Court; for the Lords without the Commons, and the Commons without the Lords, can do nothing: Now then at the first before the division of the House, all Writs were returned *proximo Parlamento*; but since the division of the House it hath been always used, and plainly it must be returned into Chancery.

And to say we cannot have notice of it, nor cannot judge upon the Record being in Chancery plainly, we may as well as we do upon the Return of every Burgeſs which is made into the Chancery, and the Cause is all one.

And the Chancery in making the Writ will not alter from that their Warrant made from this House, which must be according unto ancient form: for waiting the other day upon my Lord Keeper by your Commandments for the making of this Writ, I desired to have a recital added in these words, *Quod cum existente Parlamento captus fuit*, &c. with the recital of the Cause of privilege. My Lord Keeper conferring with the Judges upon it, would not allow it, but thought better the usual form of *Habeas Corpus* should be kept without any suspicion of privilege, until there appeared a Cause of privilege for the party.

As for the Book of 38 H. 8. *Treminnards* Case recited in my Lord *Diers*, I have heard great learned men say, that that Cause is no good Law, and that the House did more than was warrantable.

Now for the Motion of Conference with the Judges, the Case of *Thorpe* 31 H. 6. is not able for this point: I have the Record. *Thorpe* was Speaker in that Parliament, The Parliament being Summoned to be in June, it was Prorogued until September; in the mean time, *Thorpe* was taken in Execution by the Duke of York; he notwithstanding this thought to have had the privilege of the Parliament. At the next Sessions, the matter being greatly considered, whether he could have a privilege or no, a Conference was had in the Cause with the Judges; the

Judges being required in humble sort refused, except it were so that the House did command them (for in the House of Parliament the chief Judges and their Judgments are controulable by the Court) but if the House did command them, they would be willing to inform them what in their opinions they knew and thought.

This they did in the great Cause of *Thorpe*, and I think we should do well in doing the like.

Now another thing is to be considered, for *Judicis Officium est ut res ita temperari*, &c. The consideration of Time must accompany a Judges Office, the Parliament draweth to an end, and this would be done with expedition; so the party was appointed to have his Council the next Morning in the Parliament, and they to be heard and have the advice of the Judges. *Vide* the Resolution and Conclusion of this business upon Thursday the 5th day of this instant April ensuing.

Thus far out of the aforesaid Anonymous Journal; the residue of this days Passages and part of the next are inserted out of the Original Journal-Book it self.

Mr *Francis Bacon* one of the Committees in this Bill for relief of Maimed Souldiers and Mariners (appointed on Monday the 2^d day of this instant April foregoing) shewed the meeting and travel of the said Committees and sundry Amendments thought good to be offered by them to this House; and shewing the same Amendments with the reasons of them to the House, the same Amendments were well liked of by this House, and assented to be inserted into this said Bill; and after the twice reading of the said Amendments, the said Bill so being amended was upon the question Ordered to be ingrossed.

Post Meridiem.

Four Bills of no great moment had each of them one reading; of which the first being the Bill for Naturalizing of *Justin Dormer* and *George Sheppy* born beyond the Seas, had its first reading.

On Wednesday the fourth day of April, Mr *Barker* one of the Committees in the Bill concerning Spinners and Weavers (who had been appointed on Monday the 26th day of March foregoing) shewed the meeting and travel of the Committees and their Amendments to the Bill, praying the reading of the same Amendments; which being read and ordered by the House to be inserted into the Bill, the same Amendments were afterwards twice read, and the Bill was upon the Question Ordered to be Ingrossed.

Mr *Wroth*, one of the Committees in the Bill concerning Brewers, shewed the meeting and travel of the Committees, and their Amendments to the said Bill, and prayeth the reading of the same Amendments; which being read, and Ordered by the House to be inserted in the said Bill, and also twice read afterwards, was upon the Question Ordered to be ingrossed.

The Bill for Explanation of a Branch of a Statute made in the twenty third year of her Majesties Reign, Intituled an Act to retain the Queens Majesties Subjects in their due obedience, with some Amendments to the same, was read the second time. Upon which divers Speeches passed in the House before the said Bill was committed, some of them being of very good moment. Which because they are omitted in the Original Journal-Book it self, are therefore supplied out of the often before recited Anonymous Journal in manner and form following.

Sir Thomas Cecill, Doctor Lewen, Mr Sands, Sir Thomas Heneage, Sir Edward Dimock and some others spake diversly to this Bill touching the Explanation of a Branch of the Statute made in Anno 23 Regim. Eliz. for reducing disloyal Subjects to their due obedience, as is afore-said.

Sir Walter Raleigh said, In my conceit the Brownists are worthy to be rooted out of a Commonwealth: But what danger may grow to our selves if this Law pass, it were fit to be considered. For it is to be feared, that men not guilty, will be included in it. And that Law is hard that taketh life and sendeth into banishment, where mens intentions shall be judged by a Jury, and they shall be Judges what another means. But that Law that is against a Fact, is but just; and punish the fact as severley as you will.

If two or three thousand Brownists meet at the Sea, at whose charge shall they be transported, or whither will you send them? I am sorry for it, I am afraid there is near twenty thousand of them in England, and when they be gone, who shall maintain their Wives and Children.

Mr Finch said, There be great faults in the Preamble and in the Body of this Bill. It pretendeth a punishment only to the Brownists and Sectaries, but throughout the whole Bill, not one thing that concerneth a Brownist; and if we make a Law against Barrowists and Brownists, let us set down a Note of them, who they are. But as the Bill is, not to come to Church, or to speak against the government established, this is not the opinion of the Brownists.

The Law that is intituled An Explanation, is nothing else, save that it hath a name of it. For Laws Explanatory are no New Laws of themselves, but part of the old; for there ought to be nothing in the declaratory Law that was not in the former, as appeareth in the Cause of *Surnand* and *Stowell*, the Statute of 32 Hen. 8. being but an Explanation of 4. H. 7.

This Law being allowed to be an Explanation of 25. maketh all the offenders in that Statute to be Traytors. This Law excepts no Person; So all are in the former penalties of that Law: for 23 of *Eliz.* is only for such as are of the Romish Religion; and now to make it include all the opinions, is to make additions to that but no Explanations.

The Clause of speaking against the Law is very dangerous; For who can be safe from this? *Non Hospes ab hospite tutus.* For if a man speak against Non-Residents, Excommunication as it is used, or any other abuse in the Church, he incurs the danger of the Law.

The Clause against Conventicles is very dangerous. For the Conference of any Persons together being of any number, the Prayers of Holy Exercise, being not allowable in any place by the Law, is an assembling against the Laws: for the words be very strict, howsoever not contrary to the Law, the offence is all one.

Now in the body of the Law the words Ecclesiastical are not such as be meant *in primo* of the Queen, but such as are intended in this Statute. And the annexing of the words, *He must be an obstinate Recusant, and also write and speak, &c.* This is very suspicious, for *Obscuris vera* is never good.

Whosoever repaireth not to his own Parish Church is a Recusant within this Law. *Vide Apr. 6. die Veneris sequent.*

Thus far out of the aforesaid Anonymous, Journal; the residue of this days passages and part of the next are transcribed out of the Original Journal-Book it self.

After which said Speeches touching the Bill of Explanation of the Branch of a Statute made in the twenty third year of the Queen for reducing of disloyal Subjects to their due obedience, the said Bill in the end was committed unto all the Privy Council, Sir Walter Raleigh, Sir Henry Unton, Sir Francis Hastings, Doctor Jo. James, Doctor Lewen, Mr Doctor Cesar, Sir William Moore, Mr Francis Bacon, Mr Serjeant Harris, Mr Wroth, Sir Thomas Cecill, Mr Finch, Mr Skinner, Mr Mainard, Mr George Moore, Sir Henry Cocke, Mr Fuller, Mr. Robert Knowls, Sir William Knowls, Sir Edward Dymock, Sir Edward Stafford, Mr. Edward Lewkenor, Mr. Henry Brett, Mr. Periam, Sir Thomas Dennies, Sir Robert Sydney, Mr. Wroth, Sir. William Bowes, Mr. Atie, Mr. Helcroft, Sir Thomas West, Sir Matthew Morgan, Mr Berkeley, Mr. Sands, Mr. Boucher, Mr. John Payton, Sir Richard Molineux, Mr. Tasborough, Mr. Horsey, Mr. Attorney of the Dutchy, Mr. Finch, Mr. Fuller, Mr. Amerfam, Sir George Cary, and Sir George St Poole, and the Bill was delivered to Mr. Treasurer, who with the rest was appointed to meet in this House, to Morrow at two of the Clock in the Afternoon.

Mr. Serjeant Owen and Mr. Attorney General do bring word from the Lords, that their Lordships do pray Conference with some selected Members of this House to be held this Afternoon, touching the Bill for the reviving, continuance, explanation and perfecting of certain Statutes lately passed this House, and sent up to their Lordships, and do shew that their Lordships for that purpose have made choice of twenty of themselves whereupon the said Mr. Attorney and Mr. Serjeant Owen being sequestred, and the Message declared to the House by Mr. Speaker, it was required by the House, that soasmuch as the

the Bill last read was then, and long before had been in dispute and Argument, Answer thereof might be returned unto their Lordships, that this House prayeth that a Committee of this House may rather wait upon their Lordships in the Afternoon (for that the House is now occupied in Speeches and Arguments to a Bill which came into this House from their Lordships) Which being so signified to the said Mr Serjeant Owen and Mr Attorney General accordingly, shortly after Mr Doctor Carey and Mr Powle brought word from the Lords, that their Lordships would be ready this Afternoon to confer with the Committees of this House, in the Chamber next to the Upper House. Which done, it was Ordered that the former Committees of this House, (who had been nominated on Monday the 28th day of March foregoing) be appointed to attend their Lordships at the said time and place, and a note of the Committees names were delivered to Mr Treasurer.

On Thursday the 5th day of April, the Bill for true Affizing and marking of Timber was read the second time, and committed unto Mr George Moore, Mr Dalton, Mr Wroth, Mr Browne, Sir John Hart and others, and the Bill was delivered to the said Sir John Hart, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr Serjeant Owen and Mr Doctor Powle do bring from the Lords a Bill intituled An Act for Explanation of the Statute made in the thirty fourth year of King Henry the Eighth, as well touching Grants made to his Majesty, as for Confirmation of the Letters Patents made by his Highness to others, and do pray from their Lordships the speedy Execution of the same.

Mr Vice-Chamberlain, one of the Committees with the Committees of the Lords in the Bill for reviving, continuing, explanation and perfecting of certain Statutes, sheweth the meeting and Conference with the Committees of the Lords, and that their Lordships have thought good to add some small Amendments to the said Bill; and a Proviso also for her Majesties Prerogative in the point of Transportation of Corn, as the like whereof was in the Statute of 13^o of her Majesties Reign.

Nota, That the business so much before agitated touching Mr Fitzherbert received this day the final resolution of the House, as is plainly set down in the often before-cited Anonymous Journal, although it be wholly omitted in the Original Journal-Book it self, which said Case was singly this. Thomas Fitzherberts being elected a Burgess of the Parliament, two hours after his Election and before the return of the Writ to the Sheriff with the Indenture of his Election, the said Sheriff Arresteth him upon a *Capias utlagatum* in an Outlawry after Judgment at the Queens Suit (as may be collected out of the reasons given of their said Resolution) and then his Indenture was returned to the Sheriff. Upon all which mat-

ters there grew two Questions; First, whether the said Mr Fitzherbert were a Member of the House; And secondly admitting he were, yet whether he ought to have privilege. Which said matters having been formerly much debated on Thursday the first day, Friday the second, Saturday the 17th day, and on Friday the 30th day of March last past, as also on Tuesday the third day of this instant April foregoing, received now at last the Judgment of the House, which is inserted out of the aforesaid Anonymous Journal in manner and form following.

The Judgment of the House was, That Thomas Fitzherbert was by his Election a Member thereof; yet that he ought not to have privilege in three respects. First, Because he was taken in Execution before the return of the Indenture of his Election; Secondly, Because he had been Outlawed at the Queens Suit, and was now taken in Execution for her Majesties debt; Thirdly and lastly, in regard that he was so taken by the Sheriff, neither *sedente Parlamento*, nor *eundo* nor *redeundo*.

Thus far out of the aforesaid Anonymous Journal; the rest of this present Journal that ensueth to the very end and dissolution thereof is wholly supplied out of the Original Journal-Book it self.

The Bill concerning Clapboards and Casks (which as it seemeth was read presently after the foresaid resolution of the House given in the said Case of Mr Fitzherbert) had the third reading and passed upon the Question.

Mr Attorney General and Mr Doctor Carey do bring from the Lords the Bill for renewing, continuing, explanation and perfecting of certain Statutes, lately passed this House with some Amendments, and a Proviso; which Bill was sent up to their Lordships from this House.

The Bill for necessary relief of Souldiers and Mariners was read the third time, and passed upon the Question.

Upon a Motion made by Francis Neale Esq;, one of the Burgesses for the Borough of Grantham in the County of Lincoln, That he was upon Sunday last in the Afternoon Arrested upon an Execution by a Serjeant called John Lightburn, at the Suit of one Wessellen Weblen a Beer-Brewer; and shewing further, that he had satisfied the money due upon the said Execution; but yet nevertheless in regard of the preservation of the Liberties and privileges of this House thought it his duty to make this House acquainted with the matter, and so refer and leave it to their grave Wisdoms. Whereupon it was upon the Question Ordered, that the Serjeant of this House should in the name of this House give warning unto the said Weblen and Lightburn to give their attendance upon this House to Morrow, to answer their contempt accordingly. *Vide diem sequentem*.

On Friday the 6th day of March, Two Bills of no great moment had each of them one reading; of which the second being the Bill for restraint

straint of new building, converting of great Houses into several Tenements, and for restraint of Inmates and Inclosures in and near unto the City of *London* and *Westminster*, was upon the second reading committed unto all the Privy-Council, the Knights and Burgesses of *London*, Mr *Francis Bacon* and others; and the Bill was delivered to Mr *Wroth*, one of the said Committees, who with the rest was appointed to meet this Afternoon in the Exchequer Chamber.

The Bill concerning *Devonshire Kerseys* was read the third time and passed upon the Question.

The Proviso in the Bill for reviving, continuing, Explanation and perfecting of certain Statutes (the Amendments being first read and Ordered afterwards to be inserted) was three times read, and they were all passed upon the question accordingly.

The Proviso of the Lords to explain the Amendments of this House in the Bill which passed their Lordships and was sent down to this House for the restraining of Popish Recusants to some certain places of abroad, was three times read and passed upon the Question.

The Bill to make void the Spiritual Livings of those that have forsaken the Realm, and do cleave to the Pope and his Religion, was read the third time and passed upon the Question.

Eight Bills which lately passed this House, viz. the Bill to give liberty to the Lord *Harrowden* to sell certain Lands for the payment of his debts, The Bill concerning Spinners and Weavers, The Bill touching Clap-boards and Casks, The Bill for relief of Souldiers and Mariners, The Bill concerning *Devonshire Kerseys*, The Bill for reviving and perfecting divers Statutes, with a new Proviso, The Bill for restraining of Popish Recusants to some certain places of abroad, And the Bill to make void the Spiritual Livings of those that have forsaken the Realm, and do cleave to the Pope and his Religion, were sent up to the Lords by Mr Treasurer and others.

Mr Doctor *Carey* and Mr *Powle* do bring from the Lords a Bill Intituled An Act for the avoiding of deceit used in making and selling of twice laid Cordage, and for the better preserving of the Navy of this Realm; and prayed from their Lordships the speedy expediting of the same Bill, for that this Parliament draweth near unto an end. Whereupon the same Bill was twice read and committed unto Sir *Walter Raleigh*, Sir *Francis Drake*, Mr *Lewkenor*, Mr *Wroth*, Mr *Finch* and Mr *Flower*; and the Bill was delivered to Sir *Francis Drake*, who were appointed to meet in the Afternoon of this present day.

The Bill against persons Outlawed and such as will not pay their debts was read the second and third time, and dashed upon the question.

Mr Vice-Chamberlain, one of the Committees in the Bill for Explanation of a branch made in the twenty third year of her Majesties Reign Intituled An Act to retain the Queens Majesties Subjects in their due obedience, with some Addi-

tion to the same, shewed the meeting of the said Committees yesterday, their long tarrying together, in the end their desisting without any determinable resolutions, occasioned by reason of many and sundry Arguments and opinions, and afterwards somewhat intimating the unkindness of the Lords in neglecting the said Bill in this House; adviseth, that a Conference be prayed with their Lordships for the better effecting of a convenient Law to be provided for meeting with the disordered *Barrowists* and *Brownists*, without peril of intrapping honest and loyal Subjects. Which in the end after sundry Speeches both with the Motion and against it, it was presently upon the Question assented unto, and Ordered, that Mr Vice-Chamberlain, accompanied with a convenient number of the Members of this House, should presently repair to the Lords to move the said Conference accordingly. Which so being done, the said Mr Vice-Chamberlain shewed, that their Lordships had willingly assented unto the said Conference; and did appoint for that purpose the time to be at two of the Clock this Afternoon in the accustomed place. Which done, it was Ordered that the former Committees (who were appointed on *Wednesday* the 4th day of this instant *April* foregoing) should then and there attend their Lordships. And the Bill was delivered to Mr Vice-Chamberlain.

Wesselen Weblen Beer-Brewer and *John Lightburn* Serjeant at Mace, being present at the Bar, and charged by Mr Speaker very deeply and amply with their great contempt against the Authority and Jurisdiction of this most High Court of Parliament, in Arresting of Mr *Francis Neale*, one of the Members of this Honourable Assembly, to the great prejudice and derogation of the antient and usual Liberties and Priviledges of this House; They the said *Weblen* and *Lightburn* humbly submitted themselves, and pretended by Ignorance to extenuate their faults. Which done, and they being sequestred; after some Speeches and debates touching the punishment of the said *Weblen* and *Lightburn*, some one way and some another; it was in the end resolved upon the Question, that they should be committed Prisoners to the *Tower* by Order of this House, there to remain during the pleasure of this House. And then afterwards the said *Weblen* and *Lightburn* being brought in again to the Bar, Mr Speaker remembring again unto them the hainousness of their offence, pronounced unto them the said Judgment of this House; and gave charge unto the Serjeant of this House to deliver the said *Weblen* and *Lightburn* unto Mr Lieutenant of the *Tower* according to the said Order and Judgment of this House against them. *Vide in principio diei precedentis.*

On *Saturday* the 7th day of *April*, the Bill concerning Coopers was upon the second reading committed unto Mr Serjeant *Harris*, Mr *Dalton*, Mr *Wroth* and others, and the Bill was delivered to Sir *John Hart* one of the same Committees, who with the rest was appointed to meet at two

of the Clock this Afternoon in the Exchequer Chamber.

The Bill for Naturalizing of *Justin Dormer* and *George Sheppy*, was upon the second reading Ordered to be ingrossed.

Mr *Finch*, one of the Committees in the Bill for the avoiding of deceit used in making and selling of twice laid Cordage, and for the better preserving of the Navy of this Realm, shewed the meeting of the Committees and some few Amendments to the Bill, praying the reading of the same Amendments; which being read and allowed by the House, the said Amendments were twice read, and the Bill and the said Amendments also read the third time and passed upon the Question accordingly.

Sir *John Hart*, one of the Committees in the Bill for the true affizing and marking of Timber (appointed on *Thursday* the 5th day of this instant *April* foregoing) shewed the meeting of the Committees, and their opinion of nothing fit to be done without much inconvenience in the said Bill at all, and so delivereth in the said Bill again to the House.

The Bill for the Explanation of the Statute made in the thirty fourth year of King *Henry* the Eighth, as well touching Grants made to his Majesty, as for Confirmation of Letters Patents made by his Highness to others, was upon the second reading committed unto all the Privy-Council, Mr *Amersham*, Mr Attorney of the Dutchy, Sir *Francis Drake*, Sir *Walter Raleigh* and others; and the Bill was delivered to Mr. Chancellor of the Exchequer, together with the Committees Names, who with the rest was appointed to meet at two of the Clock this Afternoon in the Exchequer Chamber.

Mr. *Tasborough* moveth the reading of the Amendments of the Bill for the ease of Jurors returned upon Tryal, which Amendments being twice read, the Bill was upon the Question Ordered to be ingrossed.

Mr. Vice-Chamberlain, one of the Committees in the Bill for Explanation of a branch of a Statute made in the twenty third year of her Majesties Reign intituled An Act to retain the Queens Majesties Subjects in their due Obedience, with some Additions to the same (who had been appointed on *Wednesday* the 4th day of this instant *April* foregoing) shewed the meeting with the Lords in Conference, and withal the very honourable and grateful acception and allowance of their Lordships unto all the reasons of this House offered unto their Lordships by the said Committees of this House; and so concluding shewed that such Additions, Substractions and Alterations have been made, as by the good liking as well of the said Committees of the Lords, as by the more part of the said Committees of this House was thought fit; and so moved that the same Additions, Substractions and Alterations might be read to the House for the further liking of this House in the same, at their pleasures. Which being so read accordingly, it was

after sundry contrary Arguments Ordered, that some of the former Committees of this House should presently have further consideration thereof in the Committee Chamber of this House, which was thereupon so done accordingly. *Vide* concerning this matter on *Wednesday* the 4th day of this instant *April* foregoing.

Mr Serjeant *Owen* and Mr Doctor *Ford* do bring from the Lords the Bill lately passed this House for Mr *Anthony Cooke*, with a saving now added by their Lordships; And the Bill also for the Relief of Souldiers and Mariners, likewise lately passed this House, with some Additions now also added to the same by their Lordships.

The saving in the Bill for Mr *Anthony Cooke* lately sent down to this House from the Lords, was three times read, and so passed upon the Question.

The additions in the Bill for the relief of Souldiers and Mariners lately sent down to this House by the Lords were three times read, and upon the Question passed, and were ordered to be inserted into the same Bill.

The Bill concerning Brewers and the Brewing of Beer and Ale was read the third time, and passed upon the Question.

The Bill for maintenance of Cloth-making in the Town of *Crambrook* in the County of *Kent* was read the second time, and Ordered not to be committed.

The Bill for naturalizing of *Justin Dormer* and *George Sheppy* had its third reading, and passed upon the Question.

The Bill for Explanation of a Branch of a Statute made the 23th of her Majesties Reign, intituled An Act to retain the Queens Majesties Subjects in their due obedience, with some Additions to the same, was read the third time; And all the Additions and Amendments of this House to the same Bill being also three times read, the said Bill with some Additions and Amendments passed upon the Question.

On *Monday* the 9th day of *April*, *Weffelen Webben* Bear-Brewer and *John Lightburn* Serjeant at Mace Prisoners at the Bar, are after admonition given them by Mr Speaker discharged by the Order of this House of their Imprisonment, paying their Fees. *Vide* concerning this matter on *Thursday* the 5th day and on *Friday* the 6th day of this instant *April* immediately foregoing.

Mr Chancellour of the Exchequer, one of the Committees in the Bill for Explanation of a Statute made in the thirty fourth year of King *Hen.* 8. as well touching Grants made to his Majesty, as for Confirmation of Letters Patents made by his Highness to others, shewed the meeting of the Committees, and that they have considered of some small amendments; and shewed further, that four several Provisoos were offered to them touching the said Bill, one by Mr *Adams* and one by Mr *Tipper*, and one by Mr *Daws*; and so offereth both the Bill and the Amendments, and the

the said former Proviso's also, leaving all the same to the further consideration of this House.

Six Bills which last passed this House; of which the first was the Bill for avoiding of deceit used in making and selling of twice laid Cordage, and for the better preserving of the Navy of this Realm; and the second for Mr. *Anthony Cook*; were sent up to the Lords by Sir *Robert Cecil* and others.

Upon sundry arguments touching the Proviso offered by Sir *Thomas Shirley* to the Bill for Explanation of the Statute of 34 Hen. 8. &c. it was upon the Question denied to be received, and the Proviso for Mr. *Stanhop* was upon the Question and division of the House denied to be received, with the difference of forty Persons, viz. with the No one hundred twenty nine, and with the Yea eighty nine.

Mr. Serjeant *Owen* and Doctor *Carey* do bring word from their Lordships that their Lordships do desire to know whether this House have any Bills ready to send up unto them, shewing that their Lordships are now at good leisure: And willed them to put this House in remembrance of the expediting of two Bills which were sent from their Lordships to this House, viz. the Bill for Explanation of the Statute made in the thirty fourth year of King Hen. 8. a Bill touching Grants made to his Majesty, as also for Confirmation of Letters Patents made by his Highness to others; and the Bill for restraint of new Buildings, &c. Which Message being opened to the House, Answer was made that one of the said Bills being presently in debate in the House, should by and by be returned unto their Lordships.

The Bill for Explanation of the Statute made in the thirty fourth year of King Hen. 8 as well touching Grants made to his Majesty as for Confirmation of Letters Patents made by his Highness to others, was read the third time, and passed upon the Question, and was presently sent up to the Lords by Mr. Vice-Chamberlain and others.

Mr. *Fuller*, one of the Committees in the Bill for restraint of new Buildings and converting of great Houses into several Tenements and restraint of Inmates, and Inclosures in and near the Cities of *London* and *Westminster* (who had been appointed on *Friday* the 6th day of this instant *April* foregoing) shewed the meeting and Travel of the Committees and their Opinions for

leaving out of one Clause in the Bill, and gave the Reasons; which being liked of and allowed by the House, the Bill was read the third time, and after many Arguments both for the Bill and against the Bill, it passed upon the Question.

On *Tuesday* the 10th day of *April* Sir *John Hart*, one of the Committees in the Bill concerning Coopers (appointed on *Saturday* the 24th day of *March* foregoing) brought in the Bill again, as not dealt in by the Committees for lack of convenient time.

The Bill for restraint of new building, converting of great Houses into several Tenements, and for restraint of Inmates and Inclosures in and near unto the Cities of *London* and *Westminster*, with one amendment to the same Bill, was sent up to the Lords by Mr. Treasurer, Sir *John Wolley* and others, with a remembrance to move their Lordships for sending down the Bill for the Grant of three intire Subsidies and six Fifteenths and Tenths granted by the Temporality, to the end Mr. Speaker may this Afternoon present the same unto her Majesty according to the former accustomed usage of this House.

Mr. Serjeant *Owen*, Mr. Attorney General and Mr. *Powle* do bring from the Lords an Act intituled An Act for the Queens Majesties most Gracious general and free Pardon.

The Bill intituled an Act for the Queens Majesties most gracious general and free Pardon was read, and then passed upon the Question, and was presently sent up to the Lords by Mr. Chancellor of the Exchequer and others.

Post Meridiem.

This day in the Afternoon the Queens Majesty came into the Upper House of Parliament, and there sitting in her Royal Throne, Mr. Speaker accompanied with the Knights, Citizens and Burgeses of the House of Commons, repaired unto the said Upper House, where making an Excellent Oration unto her Highness, and giving unto her Majesty most humble thanks on the behalf of this House for her Highness most gracious and favourable acceptance of their dutiful service, and offering unto her Majesty in their names the Act for three intire Subsidies and six Fifteenths and Tenths, her Highness gave the Royal assent to fourteen publick Bills and thirteen private Bills, and so dissolved this Parliament.

T H E
JOURNAL
O F T H E
House of LORDS.

An exact and perfect Journal of the House of Lords in the Parliament holden at Westminster, Anno 39 Reginæ Eliz. Anno Domini 1597. which began there on Monday the 24th Day of October, and then and there continued until the Dissolution thereof on Thursday the 9th Day of February Anno 40. Reginæ ejusdem.

THIS Journal of the House of Lords and all the rest that have since followed both the Queens Reign and in the Reigns of King James and King Charles her Successors, unto this present year 1629. have been more exactly and largely taken than before. For Thomas Smith Esquire now succeeding unto Anthony Mason Esquire, formerly Clerk of the said House of Lords, was much more careful in observing and setting down the dayly passages thereof this Parliament than the said Mr Mason had been. In which, the said Sir Thomas Smith's successors (for he was afterwards Knighted) have much exceeded him also, by the large and diligent digesting of the particular agitations of every day upon which the said House did sit. Only the Return of the Proxies (as is presently more fully declared) was more distinctly entred by the abovenamed

Vide Gul. Camd. Anno Regin. Eliz. edit. Lugdun Batavorum An. Dom. 1625. pag. 682.

Mr Anthony Mason, than hath been since accustomed. At this Parliament also there succeeded a new Lord Keeper: For Sir John Puckering deceasing in A. D. 1596. the Custody of the Great Seal was committed unto Sir Tho. Egerton, then her Majesties Attorney General, who at this present and many years after supplied that place. Neither finally doth this ensuing Journal want either matter of rarity in respect of the Lord La Ware's right settling in his former place, which had been for a

while discontinued, or matter of very good Precedent in respect of some Questions that arose betwixt the two Houses touching the manner and form of the Lord Keeper's delivering the Answer of the Lords to such Members of the House of Commons as should at any time be sent up unto their Lordships with any Message or Bill.

Before the particular Relation of each days passages in this present Parliament be inserted out of the Original Journal-Book of the Upper House, the extraordinary and unusual Proxies (entred also at the beginning thereof) which had been returned and delivered in unto the Clerk of the said House during the continuance of the same, are here in the next place to be transcribed and set down all of them together, and cannot be so orderly digested, and referred to each day on which they were returned, as formerly they have been. For whereas before this Parliament Henry Spilman and Anthony Mason Esquires, who had been successively Clerks of the said Upper House, did usually enter the said Proxies at the beginning of each Journal, upon the days on which they were introduced or returned; Now Thomas Smith Esquire succeeding the said Anthony Mason, did only generally enter them at the beginning of this present Journal, as had been formerly accustomed, without any distinct setting down the several days on which they had been introduced & delivered unto him. Which course having been also

also since followed unto this present year 1629. the said Proxies can be no more referred to their proper days, but must be once for all generally set down in this present Journal and in divers others ensuing before the beginning of the said Journal, in manner and form following.

Literæ procuratoriæ in hoc Parlamento sunt allatæ

Archiepiscopi Eboracen' Matthæi, &c. qui Procuratores suos constituit Johannem Archiepiscopum Cantuarien', Richardum Episcopum London', Tobiam Episcopum Dunelmen', & Richardum Episcopum Cestren' conjunctim & divisim.

Nota, That whereas there is an, &c. after the word *Matthæi* in the Proxy foregoing, it seemeth that these words are left out, *viz. absentis ex licentia Domine Regine*; and so if nothing had been omitted, the said Proxy, as may very probably be conjectured, should have been thus inserted, *Archiepiscopi Eboracen' Matthæi absentis ex licentia Domine Regine, qui Procuratores, &c.* as is before set down.

Nota also, That these Proxies are all entred in the Genitive Case, and must therefore be severally referred to those foregoing words, *viz. Literæ Procuratoriæ in hoc Parlamento sunt allatæ*

Tobiæ Episcopi Dunelmen', qui Procuratores suos constituit Richardum Episcopum London', Johannem Episcopum Wintonien' & Herbertum Episcopum Hereforden' conjunctim & divisim.

Johannis Episcopi Carliolen', qui Procuratorem suum constituit Johannem Archiepiscopum Cantuarien'.

Willielmi Episcopi Asaphen', qui Procuratores suos constituit Johannem Archiepiscopum Cantuarien', Richardum Episcopum London', & Johannem Episcopum Bathon' & Wellen', conjunctim & divisim.

Willielmi Episcopi Lincoln', qui Procuratorem suum constituit Johannem Archiepiscopum Cantuarien'.

Herberti Episcopi Hereforden', qui suos Procuratores constituit Episcopos Roffen', Coventr' & Litchfield', & Norwicen'.

Antonii Episcopi Meneven', qui Procuratores suos constituit Episcopos Wigorn', Bathon' & Wellen', & Norwicen'.

Note that the Bishops Proxies are set before the Proxies of the Temporal Lords, not because (as I suppose) they were all returned first, but because of their Ecclesiastical Dignity, and in respect that the Archbishop of Canterbury, one of their Order, is the first Peer of the Realm. Whence also their names are usually first set down in the Journal-Book, where the presence of the Lords is noted each day when they sit, as long as the Parliament continueth.

There were also nine Temporal Lords which this Parliament sent their Proxies, but in respect that according to the common use, each of them constituted but one Proctor apiece, they are

omitted as not worthy the observation. Only the last of them, being the Lord *Willoughbies* Proxy of *Eresby*, I thought good to have inserted, because some exotick Titles are given him it it, *viz.*

Peregrini Domini Willoughby Beake & Eresby, qui suum Procuratorem constituit Edwardum Dominum Zouch.

Nota, That all the foregoing Proxies, which were sent from the Bishops, were extraordinary or unusual Proxies, in which a Spiritual Lord did constitute but one Proctor or more than two; whereas usually the Bishops do constitute two Proctors apiece, and the Temporal Lords but one.

And now the aforesaid Proxies being thus inserted, the particular relation of some Passages of each day during the continuance of this Parliament are in the next place transcribed out of the Original Journal-Book of the Upper House, and some part also now at the very beginning out of a certain fragmentary and imperfect Journal of the House of Commons taken at this Parliament by a Member of the same.

On *Monday* the 24th day of *October* the Parliament began, and her Majesty with the greatest part of the Nobility, and others, in great state and comely manner, came from her Palace of *Whitehall* towards *Westminster* Church about one of the Clock in the Afternoon, riding in a Chariot open, all covered over head Canopy-wise with Cloth of Tissue or Cloth of Silver. Where after she had heard a Sermon, she went on foot to the Parliament House.

The Lords Spiritual and Temporal present this day in the Upper House with her Majesty are set down in the Journal-Book to be these.

Johannes Archiepiscopus Cantuarien'.

Thomas Egerton Miles, Dominus Custos magni Sigilli.

Dominus Burleigh Dominus Thesaurarius Angliæ.

Marchio Winton'.

Comites.

Comes Suffex, Magnus Marescallus.

Comes Nottingham, Magnus Senescallus.

Comes Northumbr'.

Comes Salop'.

Comes Kantie.

Comes Wigorn'.

Comes Cumberland.

Comes Bedford.

Comes Hartford.

Comes Lincolnie.

Vice-Comes Bindon.

Episcopi.

Episcopus London'.

Episcopus Winton'.

Episcopus Roffen'.

Episcopus *Covent'. & Litchf.*
 Episcopus *Gloucesteren'.*
 Episcopus *Peterburgen'.*
 Episcopus *Hereford.*
 Episcopus *Wigorn'.*
 Episcopus *Bathon'. & Wellen'.*
 Episcopus *Meneven'.*
 Episcopus *Normicen'.*
 Episcopus *Lincoln'.*
 Episcopus *Landaven'.*
 Episcopus *Cestren'.*
 Episcopus *Cicestren'.*

Barones.

Dominus *Hunsdon Camerar'.*
 Dominus *Zouch.*
 Dominus *Berkley.*
 Dominus *Morley.*
 Dominus *Cobham.*
 Dominus *Stafford.*
 Dominus *Scroope.*
 Dominus *Dudley.*
 Dominus *Lumley.*
 Dominus *Darcy de Menell.*
 Dominus *Sands.*
 Dominus *Windfor.*
 Dominus *Cromwell.*
 Dominus *Wharton.*
 Dominus *Rich.*
 Dominus *Willoughby de Parham.*
 Dominus *Sheffield.*
 Dominus *Darcy de Chiche.*
 Dominus *North.*
 Dominus *Shandois.*
 Dominus *St John de Bletso.*
 Dominus *Buckhurst.*
 Dominus *Compton.*

These Lords Spiritual and Temporal being sat and her Majesty placed in her Chair of Estate, the Knights, Citizens and Burgeses of the House of Commons upon notice thereof repaired thither; and being (as many as conveniently could) let in, Sir *Thomas Egerton* by her Majesties Commandment spake as followeth, *viz.*

THE Queens most Excellent Majesty, my most Gracious and Dread Sovereign, hath commanded me to declare unto you my Lords, and others here present, the Causes which have moved her Highness to summon this High Court of Parliament at this time. Which before I can express, I must confess truly, That the Royal presence of her Majesty, the view of your Lordships and this honourable Assembly, together with the consideration of the weightiness of the service and my own weakness, do much appal me, and cause me to fear. Wherefore if either through fear I forget, or through the many wants and imperfections, which I have, I fail to perform that duty which is required, I do most humbly crave pardon of her Majesty, and beseech your Lordships to bear with me.

The great and Princely Care which her Highness now hath, as heretofore she hath ever had, to preserve her Kingdoms in Peace and Safety from all Foreign Attempts, hath caused her at this present to assemble this honourable and great Council of her Realm, to advise of the best and most needful means whereby to continue this her peaceable happy Government, and to withstand the malice of her weighty and implacable Enemies, which hitherto by the space of many years, through her provident and Princely Wisdom hath been performed, to the great and inestimable benefit of her Subjects, as that the simplest amongst them could not but see, and the wisest but admire their happiness therein, the whole Realm enjoying Peace in all Security wherein our Neighbour Countries have been torn in pieces and tormented continually with cruel and bloody Wars. This her Majesty is pleased to ascribe to the mighty Power and Infinite Mercy of the Almighty. And therefore it shall well become us all of all sorts most thankfully upon the Knees of our Hearts to acknowledge no less unto his holy name, who of his infinite goodness still preserves her Highness and send her many years over us all in Happiness to Reign.

In this her blessed Government her Highness chief care and regard above all hath been of the Honour and Service of Almighty God, that true Religion might be planted and maintained in the hearts of her people through all the parts of her Realms; and as well in that behalf, as for the peace and benefits of her Subjects she hath from time to time established many good Laws to meet with the disorders and to punish the offences of wicked and ungodly men, that continuing in their bad ways they might not be hardened and go forward in their wickedness. For, *Mora in peccato dat incrementum sceleris.*

And whereas the number of Laws already made is very great, some of them being obsolete and worn out of use, others idle and vain, serving to no purpose; some again over-heavy and too severe for the offence, others too loose and slack for the faults they are to punish; and many so full of difficulty to be understood, that they cause many Controversies and much trouble to arise amongst the Subjects. You are to enter into a due consideration of the Laws, and where you find superfluity, to prune and cut off, where defect, to supply, and where ambiguity, to explain, that they be not burthensome but profitable to the Common-Wealth. Which being a Service of importance and very needful to be required; yet as nothing is to be regarded if due mean be not had to withstand the malice and the force of those professed Enemies which seek the destruction of the whole State, this before and above all is to be thought of, and with most endeavour and care to be provided for. For in vain are Laws made, and to little purpose will they serve, be they never so good, if such prevail as go about to make a Conquest of the Kingdom. Wars heretofore were wont to be made either

either of Ambition to enlarge Dominions, or of revenge to quit injuries: But this against us is not so; in this the Holy Religion of God is sought to be rooted out, the whole Realm to be subdued, and the precious life of her Excellent Majesty to be taken away. Which hitherto, by the powerful hand and great goodness of the Almighty, hath been preserved, mauger the Devil, the Pope and the Spanish Tyrant, and all the mischievous designs of all her Enemies. Wherefore it is high time that this be looked unto, and that no way be left unsought, nor means unused, which may serve for defence thereof. Her Majesty hath not spared to disburse a Mass of Treasure, and to sell her Land for maintenance of her Armies by Sea and Land, whereby with such small helps as from her Subjects have been yielded, she hath defended and kept safe her Dominions from all such forcible attempts as have been made. Which being still to be performed by infinite charge, her Majesty doth notwithstanding hear of nothing more unwillingly than of Aids and Subsidies to be returned from her people, though what she doth receive, she doth carefully bestow and infinitely more of her own. The Taxations at this day, howsoever they seem, are nothing so great as heretofore in the Reign of former Kings they have been. In the time of *Edward* the third, the two next before him and those three which succeeded after him, the payments of the Commons did far exceed any that have been since her Majesties Reign, which is of Record in Histories to be seen: but never cause so great to imploy great sums of Money as now. Now therefore you are to consider how to provide needful and convenient Aid in some measure to maintain and support her Majesties exceeding charge, which at this present she is at, and is to continue for the defence of the Realm. He cannot be well advised, who in this case will not be forward to contribute and bestow whatsoever he hath. For if with the Commonwealth it go not well, well it cannot be with any private or particular person, that being in danger. He that would seek to lay up Treasure, and so enrich himself, should be like to him that would busy himself to beautify his House when the City where he dwelleth, were on fire; or to deck up his Cabbin when the Ship wherein he saileth, were ready to drown, so as perish he must of necessity either with it or for it. To spare in that Case is to spare for those which seek to devour all; and to give, is to give to our selves, her Majesties part only being carefully to bestow what is delivered into her hands. Wherein men performing their Duties, there is no Cause at all to fear; for this War is just, it is in defence of the Religion of God, of our most gracious Sovereign, and of our natural Country, of our Wives, our Children, our Liberties, Lands, Lives, and whatsoever we have.

Wherefore not mistrusting your forwardness, that I may not offend in too much enlarging of this point as a poor remembrance of her Majesty, I

shortly say to your Lordships, *quod justum est, necessarium est*; nothing can be more just than this War; nothing ought to seem more necessary than carefully to provide due maintenance for the same.

And to you of the House of Commons, to the end you may orderly proceed and wisely consult of these weighty Causes delivered unto you, her Majesties pleasure is, you should according to your accustomed manner, go down to the Lower House, and there make choice of some grave, wise, and Learned man among you to be your Speaker, who shall be for an understanding sufficient, and for discretion fit, as your Mouth to signify your minds, and to make your Petitions known to her Highness, and him on *Thursday* next to present in this place.

Nota, that this foregoing Speech of the Lord Keeper is not found in the Original Journal-Book, of the Upper House, but is supplied by me out of a Copy thereof lying by me, which I conceive to have been very truly transcribed out of the Original; and I have always conceived it most proper to refer this and such like other Speeches (if warranted by any good authority) to the Journal of the said Upper House, because they are delivered in it, and only for Order sake to have some short Memorial thereof in the Journal of the House of Commons.

As soon as the Lord Keeper had ended his Speech, and the Knights, Citizens and Burgeses were departed down to their own House, the Clerk of the Upper House read the Names of the Receivers and Triers of Petitions in French, which were as followeth, *viz.*

Receivers of Petitions for *England, Ireland, France and Scotland.*

Sir *John Popham* Lord Chief Justice, *John Clinch* one of the Justices of the Kings Bench, *Francis Gandy* one of the Justices of the said Bench, *Dr. Carew* and *Dr. Stanhop.*

Receivers of Petitions for *Gascoigne* and other Lands and Countries beyond the Seas, and the Isles.

Sir *Edmund Anderson* Knight Lord Chief Justice of the Common Pleas, Sir *William Perriam* Knight Lord Chief Baron, *Thomas Walmesley* one of the Justices of the said Common Pleas, *Dr. Lewen* and *Dr. Cousins*; and they who will deliver Petitions, to deliver them within six days.

Tryers of Petitions for *England, Ireland, Wales and Scotland.*

The Arch-Bishop of *Canterbury*, the Marquess of *Winchester*, the Earl of *Suffex* great Marshal, the Earl of *Nottingham* Lord Steward of the Queens Household and Lord Admiral of *England*, the Bishop of *London*, the Bishop of *Winchester*, the Lord *Cobham* and the Lord *North.*

All these Lords and Prelats or any four of them calling unto them the Keeper of the Great Seal and the Lord Treasurer, and also the Queens Serjeants, shall hold their place, when their leisure serveth, in the Chamberlains Chamber.

Tryers

Tryers of Petitions for *Gascoigne* and other Lands and Countries beyond the Seas, and the Isles.

The Earl of *Oxford* Great Chamberlain of *England*, the Earl of *Shrewsbury*, the Earl of *Huntington*, the Bishop of *Rocheſter*, the Bishop of *Worceſter*, the Lord *Hunſdon* Lord Chamberlain to the Queen, the Lord *Lumley* and the Lord *Buckhurſt*.

All theſe Lords and Prelats or any four of them, calling unto them the Queens Serjeants, and alſo the Queens Attorney and Sollicitor, when their leiſure ſerveth, ſhall hold their place in the Treasuſers Chamber.

The Lord *Burgh* abſent, being at this time Lord Deputy of *Ireland*.

The Lord *De la Ware* abſent, becauſe he made queſtion of his place, intending to make Suit to the Parliament concerning the ſame.

Die 24^o die Octobris, viz. Primo die hujus Parliamenti, Introducitur breve quo Archiepiſcopus Eboracen' preſenti Parlamento intereſſe ſummonebatur, & admiſſus eſt ad ſuum præheminentia ſedendi in Parlamento locum, ſalvo jure alieno.

Conſimilia brevia introducuntur ſunt 4. Comitibus, 10. Episcopis, & 5. Baronibus.

Dominus Custos magni Sigilli ex mandato Domine Regine continuavit præſens Parliamentum uſq; in diem Jovis proximum futurum, viz. 27 diem Octobris.

On *Thursday* the 27th day of *October* the Queens Maſteſty repaired in the Afternoon to the Upper Houſe of Parliament, accompanied with divers Lords Spiritual and Temporal, who attended her Maſteſty this ſaid day in the Houſe, being for the moſt part the ſame that are mentioned to have been preſent there on *Monday* the 24th day of this inſtant *October* foregoing. Of which the Knights, Citizens and Burgeſſes of the Houſe of Commons having notice, M^r Serjeant *Telverton* being choſen Prolocutor or Speaker of the ſaid Houſe, was by them brought into the Upper Houſe, and by the hands of Sir *William Knolles* Controller of her Maſteſties Houſehold, and Sir *John Forteſcue* Chancellor of the Exchequer preſented.

Who by a Speech full of Gravity and Modeſty ſignifying the accompliſhment of the Duty of the Houſe of Commons in making an Election, but excuſing himſelf by pretence of many diſabilities and imperfections, and wiſhing earneſtly he were of ſufficieny to perform the Duty of that place, made humble Suit to her Maſteſty that he might be diſcharged, and that the ſaid Houſe of Commons might proceed to a new Election. Which excuſe was not allowed by her Maſteſty (as the Lord Keeper delivered by Answer) but the choice of the ſaid M^r *Telverton* was by her Maſteſty very well approved and his ſufficieny much commended.

He then proceeded in another Speech (according to the manner) to undertake that charge and to preſent to her Maſteſty in the behalf of the ſaid Houſe of Commons certain humble Pe-

titions, for acceſs unto her Maſteſty in the behalf of the ſaid Houſe upon needful occaſions, and for the uſing and enjoying ſuch Liberties and Priviledges as in former times had been granted and allowed by her Maſteſties Progenitors and her ſelf. Whereunto her Maſteſty (making Answer by the Mouth of the Lord Keeper) did yield her Gracious Aſſent, with admonition that the ſaid Liberties and Priviledges ſhould be diſcreetly and wiſely uſed, as was meet.

Dominus Custos magni Sigilli ex mandato Domine Regine continuavit præſens Parliamentum uſq; in diem quintum Menſis Octobris.

On *Saturday* the 5th day of *November*, the Bill for the ſpeedy ſatiſfaction of her Maſteſty againſt Accomptants was read *primâ vice*.

Introducitur breve Thomæ Domini Gray de Wilton, quo præſenti Parlamento intereſſe ſummonebatur, & admiſſus eſt ad ſuum præheminentia ſedendi in Parlamento locum, ſalvo jure alieno.

The Earl of *Lincoln*'s excuſe by reaſon of ſickneſs preſented by the Lord Treasuſer.

Thomas Lord *de la Ware* having petitioned the Queens Maſteſty for his Ancient and right Place of Precedence in and amongſt the Peers in Parliament, and her Maſteſty well allowing his ſaid Petition, by her Commandment and direction it was ſent unto the Lords, into the Upper Houſe, by Sir *Robert Cecill* then her Maſteſties Secretary, and endorſed on the back ſide thus in his own hand,

Her Maſteſty hath commanded me to ſignifie unto your Lordſhips, that upon the humble Suit of the Lord *de la Ware* ſhe is pleaſed this Petition be conſidered and determined in the Houſe.

Robert Cecill.

Which Petition being this 5th day of *November* ſent unto the Houſe, was there read as followeth.

To the Queens moſt Excellent Maſteſty.

Beſeecheth your moſt Excellent Maſteſty your moſt humble Subject *Thomas le Ware* K^t: That whereas *Thomas* ſometimes Lord *Le Ware*, Anceſtor and great Grandfather of your ſaid Subject, whoſe Heir Male he is, That is to ſay, your Subject is Son and Heir to *William*, who was Son and Heir to *George*, who was Brother and Heir to *Thomas*, who was Son and Heir to the ſaid *Thomas* your Subject's great Grandfather in the third year of the Reign of King *Henry* the Eighth your Noble Father, by Writ of Summons of Parliament of the ſaid King *Henry* the Eighth, came to the Parliament then holden at *Weſtminſter* in the ſaid third year, and ſo continually the ſaid *Thomas* the great Grandfather and his Heirs Males Anceſtors of your Suppliant in many other Parliaments holden as well in the time of the ſaid King *Henry* the Eighth, as in the time of your Noble Brother King *Edward* the Sixth, and in the time of your Dear Siſter Queen *Mary*, have come in their proper perſons by their Writs and Commandment, until the Parliament holden at *Weſtminſter*

Westminster in the first and second years of King *Philip* and Queen *Mary*, which was after the Death of the said *Thomas* your Suppliants great Grandfather, and of *Thomas* his Son, that had not any Issue of his Body, and of the said *George* who died in the Life of his Brother *Thomas*, the said *William* Father of your Suppliant being the Son and Heir of the said *George*, and Heir Male to his said great Grandfather; to which Parliament he was not summoned, for that he stood by Act of Parliament holden before at *Westminster* in the third year of the said *Edward* the Sixth, disabled to claim and enjoy the dignity of the Seigniorie of the Lord *La Ware* during his Life; and the said *William* being now dead, your said Suppliant is come to this present Parliament in his proper person by your Writ and Commandment; May it please your most gracious Majesty to consider the Premises, and thereupon to Grant and Ordain by advice of your most wise Council in this present Parliament Assembled, That your said Suppliant may have his place in this present Parliament in your presence as his Ancestors Lords *La Ware* have had in the said Parliament before this time.

This Petition being read, it was referr'd to these Committees following, viz. The Lord Treasurer, the Earl of *Nottingham* Lord Admiral, the Earl of *Shrewsbury*, the Lord Bishop of *London*, the Lord Bishop of *Winton*, the Lord *Zouch*, the Lord *Stafford*, the Lord *Windsor*, the Lord *Sheffield*, the Lord *North*, the Lord *St John* of *Bletso*, the Lord *Buckhurst*, Sir *Edmund Anderson* Knight Lord Chief Justice of the Common-Pleas, Sir *William Perriam* Lord Chief Baron, and *Edward Coke* the Queens Attorney, who were appointed to meet at the Council-Chamber in *Whitehall* on Sunday the 6th day of *November* at two of the Clock in the Afternoon. Where what they did and what Judgment the Lords and the whole House gave in this Case, followeth afterwards on Thursday the 10th of this instant *November*, and on Monday the 14th day of the same.

On Monday the 7th day of *November*, to which day the Parliament had been last continued, the Bill for the speedy satisfaction of her Majesty against Accomptants was read *secundâ vice*, and committed unto the Lord Archbishop of *Canterbury*, the Lord Treasurer, the Lord Admiral, the Earl of *Northumberland*, the Earl of *Shrewsbury*, and the Earl of *Worcester*, the Bishop of *London*, the Bishop of *Winchester*, and the Bishop of *Norwich*, the Lord *Zouch*, the Lord *North*, and the Lord *Buckhurst*, the Lord Chief Justice of *England*, M^r Baron *Evans* and M^r Attorney General, to attend the Lords appointed to meet at the Little Council-Chamber at *Whitehall* to Morrow being the 8th day of *November*, at four of the Clock in the Afternoon. See more of this on Monday the 14th of *November* following.

Nota, That here upon the Commitment of an ordinary Bill the Judges are said to be appointed to attend the Committee of the Lords, and are

not nominated as Joint-Committees with them, which is usually to be seen in every former Parliament almost of her Majesties Reign; and therefore it should seem that either the Lords of the Upper House themselves did alter and abolish the said ancient Priviledges which the Judges had of being constituted Joint-Committees with them, in respect that they were no Members of, but only Assistants unto the said Upper House; or else that *Thomas Smith* Esquire now Clerk of, the said House was more careful and diligent in the distinct and exact setting down, that the said Judges were not nominated as Joint-Committees, but only to attend such Lords Committees as were appointed by the said House, which *Anthony Mason* Esquire his Predecessor in the said place had for the most part neglected to distinguish. And yet the said M^r *Mason* may in some sort be justly excused of any universal or continual carelessness in this kind, in respect that where the Lords Committees were appointed either to treat with the Committees of the House of Commons, or by themselves about any matter of weight, there the Judges and her Majesties Learned Council are always set down as appointed to attend the said Lords Committees: But when an ordinary Bill only was committed upon the second reading, and especially if it concerned matter of Law, there the Judges for the most part, and sometimes also the Queens Learned Council, were nominated as Joint-Committees with them. But whatsoever the usage hath been in former times, most certain it is, that not only in this present Parliament, but in all that have been since unto this present year 1629. the said Judges being Assistants unto, and the King's Learned Council being Attendants, upon the said Upper House; have never been nominated as Joint-Committees with their Lordships, but have always been appointed to attend them. And which may make it seem the more strange: Whereas the Judges have liberty in the said Upper House it self, upon leave given them by the Lord Keeper, or the Lord Chancellor for the time being, to cover their heads, at a Committee they are now always accustomed to sit bare and uncovered; which said course finally was constantly observed during all the continuance of this present Parliament, as may appear not only by the instance foregoing, but by those many other Committees which followed on Thursday the 24th day of this instant *November*, on Thursday the 8th day of *December*, on Wednesday the 11th day of *January*, on Saturday the 4th day of *February*, and all other the days (which were very many) in which any Committees were nominated.

On Thursday the 10th day of *November*, to which day the Parliament had been last continued, the Bill for the taking away Clergy from Offenders against a Statute made in the third year of the Reign of King *Henry* the Seventh, against the taking away of Women against their will unlawfully, was sent up to the Lords from the

House of Commons, and thereupon read *prima vice*.

The Lord Treasurer made Report to the House what had been done by the Committees upon the Petition of the Lord *La Ware*, and how it was resolved by them upon hearing and debating of the matter; with certain Learned Counsellors in the Law brought before the Committees of the said Lords, that the place which he claimed in the Order and Rank of the Barons, was due unto him, *viz.* next after the Lord *Willoughby of Eresby*. Which Report being made to the House, and the voices of all the Lords being demanded, the opinion of the Committees was allowed by the consent of all (the Lord *Windfor* only excepted) And the Lord Keeper was required to acquaint her Majesty with the determination of the same House, and to know her pleasure concerning the same. *Vide* concerning this Business of the Lord *La Ware* on *Saturday* the 5th day of this instant *November* foregoing, and on *Monday* the 14th day of the same *November* ensuing.

The Lord Treasurer made a motion to the House, that for as much as the Journal-Books kept heretofore by the Clerks of the Parliament, seemed to have some error in them in misplacing the Lords, so as it was doubted how the same might be of true Record, That it would please the Lords to take Order, that the said Books that from thenceforth should be kept by the Clerk of the Parliament, may be viewed and perused every Parliament by certain Lords of the House to be appointed for that purpose, and the List of the Lords in their Order to be subscribed by them, taking unto them for their better information the King at Arms. And that this Order might begin this present Parliament.

On *Saturday* the 12th day of *November*, to which day the Parliament had been last continued, the Bill for the taking away of Clergy from Offenders against a Statute made *Anno 3 Hen. 7.* concerning the taking away of Women against their wills unlawfully, was read *secunda vice* and committed.

Nota, That because the Committees during all this Parliament were only Peers and Members of the House, and that the Judges with her Majesties Learned Council, (as see more on *Monday* the 7th of this instant *November* foregoing) were always appointed to attend upon them, and never nominated as joint Committees with them, therefore the names of them are for the most part omitted as not worth the inserting or observation.

On *Monday* the 14th day of *Novemb.* (to which day the Parliament had been last continued on *Saturday* foregoing) the Bill for the better explanation and execution of the Act made in the 13th year of the Queens Majesties *Raign* concerning Tellors, Receivors, &c. was read *prima vice*.

This Bill was brought into the House instead

of the former Bill concerning her Majesties speedy satisfaction against Accountants, &c. which was on the 7th day of *November* foregoing read *secunda vice* and referred to Committees; by whom the said Bill having been thought upon the debating thereof too full of doubts and difficulties, Order was given by them to her Majesties Attorney General to draw a new Bill, *viz.* the Bill aforesaid; which Bill was presented by the Lord Arch-Bishop of *Canterbury*, first of the said Committees, in the behalf of the said Committees.

A Proviso was thought fit to be added to the Bill concerning the taking away of Women unlawfully, and was also twice read.

The Earl of *Shrewsbury* excuseth the Lord Marquess his absence for want of health.

The Lord Treasurer moved the House, that such Lords as were absent from the Parliament and had not sent their Proxies, and such others as had made their appearance in the beginning of the Parliament and have since neglected their Attendance, may be admonished to reform the same.

On this said 14th day of *November* 1597. upon the Petition of the said Lord *La Ware*, exhibited unto her Majesty concerning his place in the Order of the Barons of Parliament, and with her Majesties commandment and direction presented unto the Lords Spiritual and Temporal in this present Parliament the 5th day of this present Month of *November*, and referr'd the same day (upon the reading) unto the Committees, as is before recorded in the Session of the same day; the said Committees having at the time and place appointed assembled themselves, and advisedly considered of the said Petition and of all arguments that were brought and alledged both for the Petition and against it, did resolve and determine that in their opinions the said Petition of the Lord *La Ware* was just; and that the place which he sought was due unto him, *viz.* to have his place betwixt the Lord *Willoughby of Eresby* and the Lord *Berkeley*, being the same place which his great Grandfather held heretofore, as appeareth by Record. Of which resolution and determination Report having been made by the Lord *Burleigh* Lord Treasurer, the first of the Committees, the 10th day of this instant *November* foregoing in the Session of the same day (as before is recorded) and the same being allowed and approved by the consent of the Lords Temporal and Spiritual then present in the House, it was thought meet and ordered that her Majesty should be made acquainted by the Lord Keeper with the opinion and resolution of the House. Which having been performed by his Lordship, and her Majesty having allowed of the proceedings of the House and of the determination of the question touching the place of the Lord *De la Ware* (as hath been declared unto the House by the Lord Keeper;) It was and is agreed and Ordered by her Majesty and the Lords Spiritual and Temporal,

poral, that the Lord *De la Ware* should be brought into the House and placed in the room and order before-mentioned, to have his place and Voice betwixt the Lord *Willoughby* and Lord *Berkeley*. Which was accordingly done on this said 14th day of *November*, The said Lord *De la Ware* being brought in his Parliament Robes unto the place aforesaid by the Lord *Zouch* (supplying the place of the Lord *Willoughby*) and by the said Lord *Berkeley* in their Robes, Garter the King of Arms attending them, and doing his Service according to his Office.

On *Tuesday* the 15th day of *November*, Two Bills had each of them one reading; of which the first being the Bill for taking away of Clergy from Offenders against a certain Statute made *Anno 3 Hen. 7.* concerning the taking away of Women against their Wills unlawfully, together with the Proviso annext unto it by the consent of the House, was read *tertiâ vice*, and afterwards sent down to the House of Commons, that the Proviso there might be considered of. And so the Parliament continued till *Saturday* the 19th day of *November* at nine of the Clock.

On which day the Bill touching the School of *Sevenoake* was read *primâ vice*.

Report was made to the House by the Lord Treasurer what had been done by the Committees upon the Bill concerning Tellors and Receivors (which said Bill had been yesterday committed upon the second reading, although the mention of the said reading and Commitment be purposely omitted) and the same Committees appointed to meet again at the former place to Morrow at four of the Clock in the Afternoon to make perfect the said Bill to be presented again to the House.

The absence of the Lord Marques and the Earl of *Huntingdon* were severally excused for want of health by two of the Temporal Lords, and the like excuse was delivered by the Bishop of *Normich* for the Bishop of *Chichester*'s absence.

Report was made by the Lord Keeper that the Earl of *Essex* received not his Writ of Summons until yesterday the 17th day of this Month (through the negligence of the Messenger unto whom the same was delivered) and now his Lordship wanting health to give his Attendance, desireth to be excused of his absence, the Earl of *Worcester* and the Earl of *Southampton* testifying his sickness.

Introducitur est breve Radulphi Domini Evers, quo presenti Parlamento interesse summonebatur, & admissus est ad suum præbementiæ sedendi in Parlamento locum, salvo jure alieno.

On *Monday* the 21th day of *November*, to which day the Parliament had been last continued on *Saturday* foregoing, Two Bills of no great moment had each of them one reading; of which the first being the Bill concerning the confirmation and establishment of the deprivation of di-

vers Bishops in the beginning of her Majesties Reign was read *primâ vice*.

Several Writs of Summons of the Earl of *Huntingdon* and *Rutland* were brought in.

Relation was made by the Lord Treasurer upon the Bill concerning Tellors and Receivors, &c. of the doubts and questions that had been moved and debated among the Committees touching certain Provisoes and Causes thought on for the Amendment of the said Bill; And the said Committees appointed by the House to meet again for further Conference to Morrow at the little Chamber near the Chamber of Parliament presence. *Vide* concerning this Bill on *Saturday* the 19th day of this instant *November* foregoing.

On *Tuesday* the 22th day of *November*, Two Bills of no great moment had each of them one reading; of which the first being the Bill for the establishment of the new Colledge of the Poor of *Cobham* in the County of *Kent*, was read *primâ vice*.

Three Bills also of no great moment were each of them sent up to the Lords from the House of Commons; of which the first was an Act formerly sent to them; with a Proviso from this House thereunto added, concerning taking away of Clergy from Offenders that take away Women against their Wills unlawfully.

The Committees upon the Bill of Tellors, Receivors, &c. meeting at the little Chamber near the Chamber of the Parliament presence, and conferring on the Bill and the Provisoes that were thought on and came in question among them by reason of sundry doubts that were moved, did refer the Bill to her Majesties Attorney General to be reviewed. *Vide* more of this on *Saturday* the 19th day, and on *Monday* the 21th day of this instant *November* foregoing.

On *Thursday* the 24th day of *November*, to which day the Parliament had been last continued on *Monday* foregoing, Five Bills had each of them one reading; of which the third being the Bill for the better Explanation and confirmation of the Act made in the thirteenth year of her Majesties Reign, was read *primâ vice*.

This Bill was reviewed by M^r Attorney by the appointment of the Committees (on *Tuesday* the 22th day of this instant *November* foregoing) who then referr'd it unto him, and was now brought in instead of the former Bill, touching which see before on *Saturday* the 19th day, and on *Monday* the 21th day of *November* aforesaid.

And the fifth being the Bill for the repeal of a Statute made in the twenty third year of her Majesties Reign, intituled An Act for the encrease of Mariners and maintenance of Navigation, was read *tertiâ vice* and committed unto the Earl of *Nottingham* Lord Admiral, the Earl of *Worcester*, the Earl of *Southampton*, the Bishop of *London*, the Bishop of *Winchester*, the Bishop of *Normich*, the Lord *Hunsdon* Lord Chamberlain, the Lord *Cobham*, the Lord *Mountjoy*; and M^r Justice *Walmesley*, M^r Serjeant *Drew* and M^r At-

torney were appointed to attend the Lords. *Vide* November 7th *antea*.

On *Saturday* the 26th day of *November*, to which day the Parliament had been last continued on *Thursday* foregoing, Three Bills had each of them one reading; of which the last being the Bill for the better explanation and execution of the Act made in the thirteenth year of the Queens Majesties Reign touching Tellors and Receivors, was read the third time and commanded to be ingrossed.

A Serjeant at Arms was appointed to be sent for *William Wood* and one *Stephenson* a Serjeant in *London*, who Arrested *Edward Barston* the Lord *Chandois* Servant contrary to the privilege of this House.

The Bill for the repeal of a Statute made in the twenty third year of her Majesties Reign, Intituled An Act for the encrease of Mariners and maintenance of Navigation, was brought into the House by the Committees (whose names see before on *Thursday* the 24th day of this instant *November* foregoing) with an Amendment thought fit to be put into the Bill; And the Amendment being thrice read, the Bill was appointed to be fixed in a Schedule to the Bill.

On *Monday* the 28th day of *November*, to which day the Parliament had been last continued on *Saturday* foregoing, The Bill for the better explanation and execution of the Act made in the thirteenth year of the Queens Majesties Reign concerning Tellors and Receivors, was read *tertiâ vice*, and sent to the House of Commons by Mr Attorney General and Dr *Stanhop*.

The Bill that was sent from the House of Commons with this Title, *viz.* An Act for the Repeal of a Statute made in the twenty third year of her Majesties Reign, Entituled An Act for the encrease of Mariners and maintenance of Navigation, was after the third reading returned again to the said House for their consideration and allowance as well of another Title thought more fit by the Committees to be given thereunto, *viz.* An Act for encrease of Mariners and for maintenance of the Navigation, repealing a former Act made in the twenty third year of her Majesties Reign bearing the same title, as also of some Amendments in the Body of the Bill added by the Committees (whose names see on *Thursday* the 24th day of this instant *November* foregoing) by Mr Attorney General and Dr *Carew*.

The Bill touching the School of *Seavenoake* was brought in by the Committees (who were appointed to meet on *Monday* the 21th day of this instant *November* foregoing, although their names and the Commitment of the said Bill upon the second reading be there purposely omitted as matter of small consequence) without alteration, and commanded to be ingrossed.

On *Thursday* the first day of *December*, to which day the Parliament had been last continued on *Saturday* foregoing, The Bill concerning the School of *Seavenoake* was read *tertiâ vice*, and

sent to the House of Commons by Mr Serjeant *Drew* and Mr Dr *Stanhop*.

The Bill for the establishing the Town Lands of *Wanting*, &c. was brought in by the Committees (who were appointed on *Saturday* the 26th day of this instant *November* foregoing, although their names and the Commitment of the said Bill upon the second reading be there purposely omitted as matter of small consequence) with a Proviso by them thought fit to be added thereunto, which Proviso was twice read.

The Parties that Arrested the Lord *Chandois* Servant, *Edward Barston*, *viz.* *William Wood* and one *Stephenson* a Serjeant with two others, were brought into the House by the Serjeant at Arms, and upon some notice taken of the matter, Mr Justice *Owen* and Mr Serjeant *Drew* were appointed to examine the same, and to make report thereof to the Lords. *Vide* concerning this matter on *Saturday* the 26th day of this instant *November* foregoing.

The Lord *Hunsdon* Lord Chamberlain took his place this day as Baron of *Hunsdon* betwixt the Lord *Chandois* and the Lord St *John* of *Bletso*.

On *Saturday* the third day of *December*, to which day the Parliament had been last continued on *Thursday* foregoing, the Bill for the establishing of the Town Lands of *Wanting* in the County of *Berks*, was read *tertiâ vice*, and sent to the House of Commons by Mr Serjeant *Drew* and Mr Attorney, for their consideration of a Proviso thought fit to be added by the Committees.

Five Bills were sent up to the Lords from the House of Commons; of which the first was the Bill for the encrease of Mariners and for maintenance of the Navigation, repealing a former Act made in the twenty third year of her Majesties Reign bearing the same title, which said Bill was sent from the Lords to the House of Commons for their consideration and allowance of the title and some Amendments in the Body of the Bill.

A second being the Bill for erecting of Hospitals or abiding and working Houses for the Poor, was read *primâ vice*.

Two Bills also of no great moment had each of them one reading; of which the first being the Bill for the better and safer Recording of Fines to be levied in the Court of Common Pleas was read *primâ vice*.

Upon the Report of Mr Justice *Owen* and Mr Serjeant *Drew*, unto whom the Examination of the matter was committed concerning the Arresting of *Edward Barston* Servant to the Lord *Chandois* by one *Stephenson* a Serjeant of *London*, at the Suit of one *William Wood*, these two being found and judged to have willfully offended therein against the privilege of the House, were committed and sent to the Prison of the *Fleet*, there to be kept close Prisoners until further direction should be given by the Lords of Parliament.

And

And whereas the two others were this day brought into the House before the Lords and supposed to be partakers of the same offence, they upon Examination being found not to have wilfully committed any fault therein were dismissed, and Order given accordingly by the Lords for their discharge in that behalf: And also for the discharge of *Edward Barston* out of the Prison of the Counter. *Vide* concerning this matter on *Saturday* the 26th day of *November* foregoing, and on *Thursday* the first day of this instant *December* last past, as also on *Monday* the 5th day of this said *December* following, as also on *Wednesday* the 14th day of the same Month.

On *Monday* the 5th day of *December*, to which day the Parliament had been last continued on *Saturday* foregoing, Six Bills of no great moment were brought up to the Lords from the House of Commons; of which the first was the Bill for erecting Houses of Correction, and Punishment of Rogues and Sturdy Beggars; And the second being the Bill to restrain Brewers to keep two Coopers and no more, was read *primâ vice*.

The Bill for the Confirmation of the Jointure of *Christian Lady Sands*, was read *primâ vice*.

Four other Bills also of no great moment were read *secundâ vice*, and thereupon Committed.

The absence of the

Earl of *Essex*
Lord Viscount *Bindon*
Earl of *Cumberland*
Lord *Scroope*
Lord *Willoughby of Eresby*
Bishop of *Rocheſter*

excused by the

Lord *Rich.*
Lord *Chandois.*
Lord *Wharton.*
Lord *Zouch.*
Bishop of *Bath and Wells.*

This day Order was given for the Release of *Stephenſon* the Serjeant that arrested the Lord *Chandois* his Servant. *Vide* concerning this matter on *Saturday* the 26th day of *November* last past, as also on *Thursday* the 1. day and on *Saturday* the 3. day of this instant *December* foregoing.

On *Tuesday* the 6th day of *December*, Two Bills of no great moment had each of them one Reading; of which the first being the Bill for erecting of Houses of Correction for punishment of Rogues, Vagabonds and sturdy Beggars was read *secundâ vice*.

The Committees in the Bill Entituled An Act for the better and safe Recording of Fines to be levied in the Court of Common Pleas (who were appointed yesterday, although their names and the Commitment of the said Bill upon the second reading be there purposely omitted as a matter of small consequence) returned the same to the House with some Amendments,

which Amendments were twice read and the Bill commanded to be ingrossed.

On *Wednesday* the 7th day of *December*, Seven Bills of no great moment had each of them one reading; of which the first being the Bill for Confirmation of the Jointure of *Christian Lady Sands*, was read *secundâ vice*, and commanded to be ingrossed; and the second being the Bill for the better and safer Recording of Fines to be levied in the Court of Common-Pleas was read *tertiâ vice*, and sent down to the House of Commons by Mr Attorney and Dr Stanhop.

Hodie retortum fuit breve Thomæ Domini Howard de Walden.

On *Thursday* the 8th day of *December*, Two Bills of no great moment had each of them one reading; of which the first being the Bill for the enabling of *Edmund Mollineux* Esquire, to sell Lands for the payment of his Debts and Legacies, was read *prima vice*; And the second being the Bill for confirmation of the Jointure of *Christian Lady Sands*, was read *tertiâ vice*, and sent to the House of Commons by Mr Attorney and Mr Dr Carew.

The Bill for the relief of the poor in times of extream dearth of Corn was read *secundâ vice*, and referr'd to these Committees following, viz. The Lord Archbishop of *Canterbury*, the Lord *Burleigh* Lord Treasurer, the Earl of *Nottingham* Lord Admiral of *England*, the Earl of *Northumberland*, the Earl of *Shrewsbury*, the Earl of *Worcester*, the Earl of *Southampton*, the Bishop of *Winchester*, the Bishop of *Coventry and Litchfield*, the Bishop of *Hereford*, the Bishop of *Bath and Wells*, the Bishop of *Norwich*, the Bishop of *Chester*, the Lord *Hunsdon* Lord Chamberlain, the Lord *Zouch*, the Lord *De la Ware*, the Lord *Cobham*, the Lord *Mountjoy*, the Lord *Darcy*, the Lord *Windſor*, the Lord *North*, the Lord *Chandois*, the Lord *St John*, the Lord *Buckhurst*; The two Chief Justices, the Lord Chief Baron, Mr Justice *Gaudy*, Mr Serjeant *Drew* and Mr Attorney General, to attend the Lords. (*Vide plus antea* November 7th Monday.)

These Committees to meet at the little Council Chamber at the Court of *Whitehall*, on *Saturday* next being the 10th day of this instant *December*, at two of the Clock in the Afternoon.

The Bill for erecting of Houses of Correction and for punishment of Rogues, Vagabonds, and Sturdy Beggars, was read *secundâ vice*, and referr'd to the Committees for the former Bill, and the same time and place appointed for meeting; And also Authority was given to the said Committees to call such of the House of Commons unto them at this meeting as they should find cause to confer withal for the better perfecting of the Bill.

Three Bills also of no great moment had each of them one reading; of which the last being the Bill for *Arthur Hatch* her Majesties Ward for the enjoying the Rectory or Parsonage of *South Molton* according to an Agreement thereof had,

&c. was read *secundâ vice*. Upon which reading it was Ordered, that all parties whom this Bill may concern, either on the part of Mr *Hatch* or against him, shall be heard openly in the House upon *Monday* next the 12th day of this instant *December* by their Council Learned, and all specialities concerning the same to be then produced, to the end it may be considered whether it shall be convenient to pass this Bill or no; Mr Serjeant *Drew* and Mr Attorney being appointed by the Lords to inform themselves against that time whether any thing be contained in the Bill that may prejudice the poor Knights of *Windfor*, and to make Report thereof accordingly on the part of the said poor Knights. *Vide* *December* 12th *postea*.

The Bill lastly for the establishing of the Possessions of Sir *Henry Unton* Knight lately deceased, and for payment of his Debts, was read *secundâ vice*.

A Motion was made by some of the Lords and approved by the House, that there should be respite of some days taken before the third reading for any such Party or Parties as the Bill concerneth, and namely any of the *Wentworths* to come to the House, and alledge if they find cause why the Bill should not proceed. And the next *Tuesday* was assigned for this purpose.

William Cole the Knight Marshal's Man that arrested *John York* the Lord Archbishops Servant, was brought before the Lords this day by the Serjeant at Arms; and being found upon his Examination before the Lords to have wilfully offended therein against the privilege of the House, was committed to the Prison of the *Fleet*, there to remain till their Lordships should give direction for his enlargement. *Vide* concerning this matter on *Wednesday* the 14th day of this instant *December* following.

On *Friday* the 9th day of *December*, Four Bills of no great moment had each of them one reading; of which the first being the Bill for establishing of the Hospital of Queen *Elizabeth* in *Bristol*, and for relief of the Orphans and Poor there, was read *secundâ vice*; upon the reading whereof some Amendments were thought fit by the House to be added, which were presently drawn and agreed upon by the same House, which being twice read, the Bill with the said Amendments were Ordered to be ingrossed.

Seven Bills were brought up to the Lords from the House of Commons; of which the first being the Bill that the Lord *Mountjoy* may dispose of his Lands whereof he is Tenant in Tail by the Laws and Statutes of this Realm, as other Tenants in Tail may do, a private Statute made 27 *Hen. 8.* to the contrary notwithstanding, was (with three other of the said Bills being of no great moment) read *primâ vice*.

The fifth was the Bill for repairing the Bridges of *Newport* and *Carlioll* in the County of *Monmouth*. The sixth was for the establishing the Town Lands of *Wanting* in the County of *Berks*, which Bill was returned with allowance of the

Proviso so added by their Lordships after the same was presented by the House of Commons; And the seventh and last was the Bill for the establishment of the new Colledge of the poor at *Cobham* in the County of *Kent*, which was returned into the House without any Alteration.

On *Saturday* the 10th day of *December*, Three Bills of no great moment were each of them read *tertiâ vice*; of which the first being the Bill for the erecting of Hospitals or abiding and working Houses for the Poor, with another Bill of no great consequence which had been formerly sent up from the House of Commons to their Lordships, were now with some Amendments sent down again from them to the said Commons by Serjeant *Drew* and Doctor *Stanhop*.

The Bill Entituled An Act against Foresters, Regraters and Engrossers was returned into the House by the Committees (who were appointed on *Monday* the 15th day of this instant *December* foregoing, although their names and the Commitment of the said Bill upon the second reading be there omitted as a matter of small consequence) with some Amendments which were twice read and Ordered to be ingrossed.

Three Bills of no great moment had each of them one reading; of which the first being the Bill that the Lord *Mountjoy* may dispose of his Lands as other Tenants in Tail by the Laws and Statutes of this Realm may do, a private Statute made *An. 27 H. 8.* to the contrary notwithstanding, was *secundâ vice* lect.

Upon the Motion of the Lord Marquess of *Winchester*, It was Ordered that the Cause should be heard openly in the House upon *Monday* Morning next by the Learned Council on both sides. *Vide* *Decemb. 12. sequen.*

Three Bills also of no great moment were sent up to the Lords from the House of Commons; of which the first was the Bill for the better and safer recording of Fines to be levied in the Court of Common Pleas, and was returned and allowed by the said House of Commons without any Alteration.

On *Monday* the 12th day of *December*, to which day the Parliament had been last continued on *Saturday* foregoing, a Motion and request was had by the House of Commons and delivered by Mr Secretary accompanied with many others, for a Conference to be had concerning the Bill intituled An Act concerning Tellors, Receivors, &c. Whereupon the House nominated the Lord *Burleigh* Lord Treasurer, the Earl of *Nottingham* Lord Admiral, and divers other Lords, both Earls, Bishops and Barons, as Committees to confer with such a number of the House of Commons as should confer with the Lords touching the said Bill; The Lord Chief Justice of *England*, the Lord Chief Justice of the Common Pleas, the Lord Chief Baron, Mr Serjeant *Drew* and Mr Attorney being appointed to attend the Lords, and the meeting to be at the great Council Table

at the Court at *Whitehal* to Morrow being the 13th day of this instant *December*, at two of the Clock in the Afternoon.

Two Bills of no great moment had each of them one reading; of which the first concerning *Stains Bridge* was read *tertiâ vice & expedit*.

The Council on both parties, *viz.* for *Arthur Hatch* on the one part, and of the Dean and Chapter of *Windfor* of the other, were admitted to publick hearing in the House. And thereupon the Bill of *Arthur Hatch* was referred to Committees (being Peers and Members of the House) and the Lord Chief Justice of *England* and Mr Attorney to attend their Lordships. *Vide* concerning this matter on *Thursday* the 8th day of this instant *December* foregoing.

The Council on both parts, for the Lord Marquess of *Mincheſter* on the one part and the Lord *Wountjoy* of the other, were admitted to publick hearing in the House. And thereupon no just cause to hinder or stay the proceeding of the Bill appearing, the same was commanded to be read the third time, and so was expedited. *Vide* touching this business on *Saturday* the 10th day of this instant *December* foregoing.

The Committees upon the Bill to enable the owners of Gavelkind Lands in the County of *Kent* to alter the said Custom (who were appointed on *Saturday* the 10th day of this instant *December* foregoing, although their names and the Commitment of the said Bill upon the second reading be there purposely omitted as matter of small consequence) returned the same to the House without alteration.

On *Tuesday* the 13th day of *December*, Three Bills of no great moment had each of them one reading; of which the first being the Bill for enabling of *Edmund Mollineux* Esquire to sell Lands for the payment of his Debts and Legacies, was read *secunda vice*, and committed unto the Earl of *Shrewsbury* and others, and Mr Justice *Gaudie* and Mr Serjeant *Crew* to attend their Lordships. Which Committees were Ordered to meet at the Earl of *Lincolns* House in *Cannon Row* on *Thursday* next by two of the Clock in the Afternoon.

Two Bills were sent up to the Lords from the House of Commons; of which the second being the Bill for relief of the poor was read *primâ vice*.

Four Bills also of no great moment had each of them one reading; of which the first being the Bill against Foreſtallers, Regraters and Ingrossers was read *tertiâ vice*, and sent down to the House of Commons by Mr Serjeant *Drew* and Mr Doctor *Stanhop* for their consideration of some Amendments.

The Bill giving power and liberty to Sir *John Spencer* Knight, *Mary* his Wife and *Robert Spencer* Esquire their Son, to alienate certain Mannors and Lands in the County of *Dorſet* and *Bedford*, was read *secunda vice*. And thereupon two Letters from the Lady *Spencer* to the Lord Chamberlain were read in the House, signifying her pleasure and consent to the Bill.

The Bill for explanation of the Statute made in the 5th year of her Majesties Reign concerning Labourers was read *secundâ vice*; And a motion being made in the House for some Amendment of the Bill, the Amendment was presently agreed on in the said House.

On *Wednesday* the 14th day of *December*, Three Bills of no great moment had each of them one reading; of which the first being the Bill for explanation of the Statute made in the 5th year of her Majesties Reign concerning Labourers was read *tertiâ vice*, and thereupon was sent down to the House of Commons (from whence it had been formerly brought up to their Lordships) with some Amendments added thereunto by Mr Attorney and Dr *Stanhop*.

The Bill for the grant of three Subsidies and six Fifteenths and Tenths was brought up to the Lords from the House of Commons by Mr Comptroller and others.

This day Order was given for the release of Mr *Wood* out of the prison of the Fleet, at whose Suit the Lord *Chandois* his Servant called *Edward Barſton* was arrested, so as he make satisfaction unto the said *Barſton* of such charges as he was at by means of that Arrest. *Vide* concerning this matter on *Saturday* the 26th day of *November* foregoing; as also on *Thursday* the first day, *Saturday* the third day, and on *Monday* the 5th day of this instant *December* last past.

The like Order taken for the enlargement of *William Cole* that arrested *John Torke* the Lord Archbishops Servant, paying only the Fees of the Fleet. *Vide* touching this business on *Thursday* the eighth day of this instant *December* foregoing.

Certain Amendments were thought fit by the Committees to be added to the Bill intituled An Act for erecting of Houses of Correction and punishment of Rogues, Vagabonds and Sturdy Beggars; which Amendments were twice read and upon consideration of the same, direction was given to some of the said Committees, *viz.* the Lord *North*, the Lord St *John* and the Lord *Buckhurſt*, to review the said Amendments for reformation of some defects found therein by the House; and the Lord Chief Justice of *England* appointed to attend them.

On *Thursday* the 15th day of *December*, Three Bills of no great moment had each of them one reading; of which the first being the Bill for grant of three Subsidies and six Fifteenths and Tenths was read *prima vice*.

Six Bills were brought up to the Lords from the House of Commons; of which the first was the Bill for establishing the Hospital of *Queen Elizabeth* in *Bristol* for relief of the Orphans and Poor there, and was returned with allowance of the Amendments.

Certain Articles were presented in writing by the House of Commons touching their opinions and objections concerning the Bill of Tellors and Receivors, which were delivered to Mr Attorney, to the end he might confer with

the Judges upon the same, and make Report to the Lords.

The Bill for *Arthur Hatch*, her Majesties Ward, was returned into the House by the Lord Treasurer; first of the Committees, who said that there were in the Bill certain Points, that could not be well reformed; whereupon motion was made to the House (upon agreement amongst the Committees) that the proceeding in this Bill might cease, and that another course might be taken by way of Composition betwixt the Dean and Chapter of *Windsor* and *Arthur Hatch*; for which purpose a Bill was ready drawn and brought by Mr Attorney General, containing a form of composition betwixt them to be ratified (if it shall be thought good) by Parliament.

Dominus Custos magni sigilli continuavit præsens Parliamentum usq; in postmeridianum tempus hodierni diei horâ tertiâ, at which time the Bill only for the grant of three Subsidies and six Fifteenths and Tenths was read *secundâ vice*.

On *Friday* the 16th day of *December*, Two Bills had each of them one reading; of which the first being the Bill for the grant of three Subsidies and six Fifteenths and Tenths, was read *tertiâ vice* & expedit.

Five Bills were brought up to the Lords from the House of Commons by Sir *William Knolles* and others; of which the first being the Bill touching the School at *Seavenoake*, was returned from the House of Commons with their allowance thereof.

The Bill for *Arthur Hatch* her Majesties Ward for the enjoying of the Rectory and Parsonage of *South-Molton* in the County of *Devon*. for certain years, reserving the usual rent, was read *prima vice*.

On *Saturday* the 17th day of *December*, Eight Bills of no great moment had each of them one reading; of which the last being the Bill for *Arthur Hatch* her Majesties Ward for the enjoying of the Rectory and Parsonage of *South-Molton*, &c. was read *secundâ vice*, and referr'd to the same Committees that were formerly appointed (on *Monday* the 12th day of this instant *December* foregoing) and the Earl of *Worcester* and Bishop of *London* were added to them.

Two Bills were brought up to the Lords from the House of Commons; of which the first was the Bill for encrease of people for the service and defence of the Realm.

The Bill Intituled An Act for the enabling of *Edmund Mollineux* Esq; for the payment of his Debts and Legacies, was returned into the House by the Earl of *Shrewsbury* the first of the Committees, who said, the Committees had heard the Council Learned on both parts, as well on the part of Mr *Mollineux* as against him, and finding some matter of difficulty in the Bill, the Council desired to be heard openly in the House.

On *Monday* the 19th day of *December*, to which day the Parliament had been last continued, the Bill for confirmation of the Subsidy granted by the Clergy was read *tertia vice*, and sent

to the House of Commons by Mr Attorney and Dr *Stanhop*.

Certain Amendments were offered to the House by the Committees upon the second Bill concerning *Arthur Hatch* her Majesties Ward, &c. And the same Amendments were twice read. Whereupon both the Bill and the said Amendments were commanded forthwith to be ingrossed, which was accordingly done, and presently read the third time, and sent to the House of Commons by Mr Attorney and Mr Dr *Stanhop*. *Vide* concerning this matter on *Thursday* the 15th day of this instant *December* foregoing.

The Committees upon the Bill Intituled An Act for erecting of Houses of Correction, and punishment of Rogues, Vagabonds and Sturdy Beggars, and An Act for the relief of the Poor, returned the same to the House with some Amendments, which were presently twice read and commanded to be ingrossed.

The Amendments in the Bill concerning Labourers formerly ingrossed in Parchment (at which exception was taken by the House of Commons, and for that cause returned without their allowance, because the Amendments were ingrossed in Parchment, which according to the Custom and use of the House should have been Paper, and thereupon) the Lords now commanded them to be written in Paper.

Four Bills were brought up to the Lords from the House of Commons by Sir *William Knolles* and others; of which the first was the Bill for the confirmation and establishment of the deprivation of divers Bishops in the beginning of her Majesties Reign, returned into the Upper House with some Amendments; which said Amendments were thrice read: And the second being for the establishment of the Bishoprick of *Norwich*, and the Possessions of the same, against a certain pretended concealed title made thereunto, was read *prima vice*. *Vide* concerning this matter on *Thursday* the 12th day, *Saturday* the 14th day, on *Monday* the 16th day, and on *Thursday* the 17th day of *January* next ensuing.

Two Bills also of no great moment had each of them one reading; of which the first being the Bill for the encrease of people for the service and defence of the Realm, was read *prima vice*.

On *Tuesday* the 20th day of *December*, Two Bills had each of them one reading; of which the first being the Bill for erecting of Houses of Correction, and punishment of Rogues, Vagabonds and Sturdy Beggars, was read *tertiâ vice*.

The Amendments of the Bill concerning Labourers was presented to the House written in paper. *Vide* concerning this Bill on the day immediately foregoing.

The three Bills aforesaid were sent down to the House of Commons for their consideration of the several Amendments and Provisoos added unto them, by Mr Attorney General and Mr Dr *Stanhop*.

Two Bills of no great moment were sent up to the Lords from the House of Commons; of which the last concerning Labourers was returned with the allowance of the Amendments.

The Bill lastly for the encrease of people for the service and defence of the Realm was read *secundâ vice*, and committed unto the Archbishop of *Canterbury* and others; and the two Lords Chief Justices, the Lord Chief Baron and Mr Attorney General to attend their Lordships: who were appointed to meet at the great Council Chamber at the Court at *Whitehall* on *Wednesday* the 11th day of *January* next following, at two of the Clock in the Afternoon.

Dominus Custos magni Sigilli ex mandato Domine Regine adjornavit præsens Parliamentum usq; in 11. diem Januarii prox' sequentem hora octava.

Nota, That this Adjournment, although but for the space of twenty one days, was by her Majesties Commandment, being personally present, as may be directly gathered out of those words *ex mandato Domine Regine*, notwithstanding the word *præsentis* be omitted here as in divers other places also of these Journals of the Queens time upon the like occasion; for otherwise if her said Majesty had not been personally present in the Upper House, this Adjournment ought to have been by Commission under the Great Seal, as a like Adjournment had been from *Monday* the 21th day of *December* unto *Thursday* the 4th day of *February* then next ensuing, in the Parliament in *Anno 27 Regine Eliz. Anno Domini 1584.*

Nota also, That at the end of this Adjournment the two Houses met in their several places without any pomp or state, and also fell to the reading of such Bills and perfecting of such ordinary businesses as they had left unperfected at the time of the aforesaid Adjournment. Which said new meeting of the Lords in the Upper House is Entred as followeth in the Journal-Book of the Upper House, *viz.*

Die Mercurii, viz. undecimo die Januarii (to which day the Parliament had been last Adjourned on *Tuesday* the 20th day of *December* foregoing) *Domini tam Spirituales quàm Temporales, quorum nomina subsequuntur, præsentis fuerunt.*

Archiepiscopus *Cantuarien'.*

Thomas Egerton Miles, Custos magni Sigilli.

Dominus *Burleigh* Dominus *Thesaurar. Angliæ.*

Comites.

Comes *Essex* Magnus Marecallus *Angliæ.*

Comes *Nottingham* Magnus Seneschallus.

Comes *Northumbr'.*

Comes *Salopiæ.*

Comes *Darbiæ.*

Vice-Comes *Bindon.*

Episcopi.

Episcopus *London.*

Episcopus *Roffen'.*

Episcopus *Peterburgen'.*

Episcopus *Bathon' & Wellen'.*

Episcopus *Landaven'.*

Episcopus *Cestren'.*

Episcopus *Cicestren'.*

Barones.

Dominus *Hunsdon* Camerarius.

Dominus *Zouch.*

Dominus *La Ware.*

Dominus *Cobham.*

Dominus *Stafford.*

Dominus *Grey de Wilton.*

Dominus *Scroope.*

Dominus *Stourton.*

Dominus *Sandes.*

Dominus *Wharton.*

Dominus *Rich.*

Dominus *Darcy de Chich.*

Dominus *North.*

Dominus *Buckhurst.*

Dominus *Compton.*

Nota, That though I do usually observe in all these Journals never to have the presence of the Lords transcribed, but at the beginning only of a new Parliament, or at least a new Session; yet I have observed it here though but at the beginning of a new meeting, in respect that the presence of the Lords before set down at the beginning of this Parliament on *Monday* the 24th day of *October* being much greater than that of this day, could not serve to be any rule for the presence of those that attended at this new meeting; which is for the most part the chiefest reason why the presence of the Lords is marked on the first day of the Parliament, or on the next day from the first, on which they be noted, if through the Clerk of the Upper House his negligence (as it often happeneth) it be omitted on the said day.

A second but less material cause why I have their names transcribed, is to see the due places and precedences of the Lords Temporal.

This *Wednesday* as soon as the Lords were set, it should seem that the Earl of *Essex* having been created Earl Marshall the 28th day of *December* last before this instant, took his place according to his said Office, *viz.* next after the Earl of *Oxon* Chamberlain of *England*, and before the Earl of *Nottingham* Lord Steward and Lord Admiral.

The said Earl Marshal having taken his place as aforesaid, was added to the Committees in the Bill intituled An Act for encrease of people for the service and defence of the Realm, who were appointed on *Tuesday* the 20th day of *December* foregoing. His Lordship also was added to the

Commit-

Committees upon the Bill for the relief of the Poor in times of extream dearth, who were appointed to meet at the great Council Chamber at *Whitehall* upon *Friday* the 13th day of this instant *January* following, by two of the Clock in the Afternoon.

The Committees upon the Bill concerning Broakers and Pawntakers were appointed to meet at the great Council Chamber, &c. upon *Friday* the 13th day of this instant *January* following, by two of the Clock in the Afternoon.

The Bill for maintenance of Husbandry and Tillage was read *secunda vice*, and referred to the same Committees which are for the Bill for encrease of people, &c. who were appointed to meet at the great Council Chamber, &c. on *Tuesday* the 20th day of *December* foregoing, and to meet at the same time and place.

Three Bills had each of them one reading; of which the first being the Bill for recovery of three hundred thousand Acres of waste Marish and watery grounds in the Isle of *Ely*, and the Counties of *Cambridge*, *Huntington*, *Northampton*, *Lincoln*, *Norfolk* and *Suffolk*, was read *secundâ vice* and committed unto the Lord Treasurer, the Earl of *Effex* Lord Marshal, the Earl of *Nottingham* Lord Admiral, the Bishop of *Peterborough*, the Bishop of *Bath* and *Wells*, the Bishop of *Norwich* and the Bishop of *Chichester*, the Lord *Hunsdon* Lord Chamberlain, the Lord *De la Ware*, the Lord *Cobham*, the Lord *Rich*, the Lord *Darce* of *Chich*, the Lord *North* and the Lord *Buckhurst*; and Mr Justice *Gaudie* and Mr Serjeant *Drew* to attend their Lordships: All which were appointed to meet at the little Chamber near the Chamber of Parliament prefence on *Saturday* the 14th day of *January* following in the Morning before the House sit.

On *Thursday* the 12th day of *January* the Bill entitled An Act for encrease of People for the service and defence of the Realm was returned unto the House by the Committees (who were appointed on *Tuesday* the 20th day of *December* foregoing) and a Motion was made by the Lord Arch-Bishop of *Canterbury*, the first of the Committees, that a Conference might be had with a competent number of chosen persons of the House of Commons for the better perfecting of the Bill. Whereupon Mr Attorney and Mr Doctor *Stanhop* were addressed to the House of Commons with a Message to that effect; and the time and place of meeting desired to be at the great Council Chamber at the Court at *Whitehall* to Morrow, being the 13th day of this instant *January* ensuing, by two of the Clock in the Afternoon.

Certain Select Committees who were chosen by the House of Commons concerning the said Bill for increase of People, &c. were sent to the Lords signifying their allowance of the time and place appointed for meeting about that Bill; and desired in the mean time to have delivered unto them in writing such Objections as their Lordships do make unto the said Bill, to

the end they might be the more ready to deliver their Opinions and resolutions at the said meeting. The Lords having considered of this Motion thought it unfit and not agreeable to the Order of this House to deliver the same in writing; And therefore agreed that answer should be made, that if upon verbal Conference they should remain unsatisfied touching the said Objections, then they should have the same delivered unto them in writing for their further consideration thereof. Which answer was presently notified to the said select Committees. And in the mean season the Judges were required to set down the said Objections in writing, that it might be in readines for the said Committees of the House of Commons, if upon the verbal Conference they should not be satisfied. *Vide* concerning this matter on *Saturday* the 14th day of this instant *January* following.

Three Bills of no great moment had each of them one reading; of which the last being the Bill for the making of Bayes in the Counties of *Effex* and *Suffolk*, was read *secundâ vice* and committed unto the Lord Treasurer, the Earl of *Effex* Lord Marshal, the Bishop of *Norwich*, the Lord *Hunsdon* Lord Chamberlain, the Lord *Rich*, the Lord *North* and the Lord *Buckhurst*; and the Lord Chief Baron and Mr Attorney General to attend their Lordships. *Vide* concerning this Attendance of the Judges on *Monday* the 7th day of *November* foregoing.

The Bill for the establishing of the Bishoprick of *Norwich* and the Possessions of the same, against a certain concealed title made thereunto, was read *secunda vice*. Upon this reading it was Ordered by the Lords that all parties whom this Bill may concern should be openly heard in the House upon *Saturday* next in the Morning, being the 14th day of this instant *January*, to the end it might be considered whether the same may justly pass without prejudice to the said parties, and *George Lester* then to be warned to attend. *Vide* concerning this matter on *Monday* the 14th day of *December* foregoing; as also on *Saturday* the 14th day, *Monday* the 16th day, and *Tuesday* the 17th day of this instant *January* following.

Another Bill also of no great moment touching Clothiers was read *secunda vice*, and referr'd to Committees. *Vide plus de ista materia die sequente.*

Certain Amendments were offered unto the House by the Committees upon the Bill Intituled An Act for the Naturalizing of certain Englishmens Children and others born beyond the Seas. Which Amendments were presently twice read; And thereupon both the Bill and the Amendments were read the third time, and returned unto the House of Commons by Mr Serjeant *Drew*, and Mr Dr *Carew*.

On *Friday* the 13th day of *January*, the Bill concerning a Lease of great yearly value procured to be passed from her Majesty by *William Kirkham*, was read *primâ vice*.

The said *Kirkham* and *Ambrose Willoughby Esq;* are

are to be warned to attend the Lords on *Monday Morning* next, being the 16th day of this instant *February*, at which time it is appointed that the said Bill shall be read the second time. *Vide* touching this matter on *Monday* the 16th day, and *Tuesday* the 17th day of this instant *January* following.

The Bill against deceitful stretching and tentering of Northern Cloth was read *secundâ vice*, and committed to the Earl of *Shrewsbury*, Viscount *Bindon*, the Bishop of *London*, the Bishop of *Bath* and *Wells*, and the Bishop of *Norwich*, the Lord *Zouch*, and the Lord *Buckhurst*; and the Lord Chief Baron, Mr Justice *Owen* and Mr Baron *Evers*, to attend their Lordships. *Vide* concerning this attendance of the Judges on *Monday* the 7th day of *November* foregoing.

The same Committees, time and place appointed upon the Bill for the relieving of Clothiers, concerning the weight of short broad and coloured Cloths, &c. the former Committees being part of this number, having not had time to perfect the same, who had been appointed yesterday.

Three Bills of no great moment had each of them one reading; of which the last being the Bill to preserve the property of stolen Horses in the true Owners, of Vouchers in sale of Horses in Fairs and Markets, was read *tertia vice* and refused.

The Bill concerning the recovery and draining from the water certain overflown grounds in the County of *Norfolk* was read *secundâ vice*, and referred to the same Committees upon the Bill formerly read of that kind concerning three hundred thousand Acres, &c. (whose names see before on *Wednesday* the 11th day of this instant *January* foregoing) with Addition of the Lord St *John*; and Mr Attorney to attend; appointed to meet at the same time and place, &c. And such parties as the same may concern to be warned to attend also.

On *Saturday* the 14th day of *January* certain Objections unto the Bill intituled An Act for the increase of people, &c. were set down in writing by Mr Attorney General, and brought into the House by the Archbishop of *Canterbury*, the first of the Committees. And the same was sent to the House of Commons for their consideration thereof, according to a Proviso made by their Lordships to the Select Committees of the House of Commons at the meeting yesterday about that Bill, by Mr Attorney General and Dr. *Stanhop*. *Vide* concerning this matter on *Thursday* the 12th day of this instant *January* foregoing, as also on *Friday* the 20th day of the same Month following.

Upon Motion made by the Lord Archbishop that the Committees for the Bill of Tillage had not time to perfect the same at the meeting formerly Assigned, It was Ordered by the House that the said Committees should meet again about it at the great Council Chamber, &c.

The like Motion was made touching the Bill

of Broakers and Pawn takers, and the like Order.

Certain Knights and Burgeses of the House of Commons sent to the Lords to desire a Conference with a competent number of that House concerning the Amendments and Provisoes added to the Bill intituled An Act for erecting of Houses of Corrections and punishment of Rogues, Vagabonds and Sturdy Beggars. Whereupon choice was made of the Lord Archbishop, the Lord Admiral, the Earl of *Shrewsbury* and the Bishop of *Winchester*, being part of the number formerly appointed upon that Bill; the three Chief Justices, Mr. Serjeant *Drew* and Mr. Attorney to attend. And the same presently signified to the said Knights and Burgeses, but with this caution, That whatsoever had been amended or added by their Lordships could not now be altered by the Orders of the House. Howbeit to yield the House of Commons satisfaction of the reasons that moved their Lordships to make those Amendments, they assented to the Conference, and the meeting was appointed to be in the outward Chamber of the Upper House of Parliament on *Monday* the sixteenth day of this instant *January* following, by eight of the Clock in the Morning. On which said *Monday* see more of this matter.

The Bill for reforming of sundry abuses committed by Souldiers and others used in her Majesties services concerning the Wars, was read *prima vice*.

The Councel Learned as well on the part of the Bishop of *Norwich* and his Tenants, as on the part and behalf of *George Lester* were heard openly in the House; but for the present no further Order or proceeding therein. *Vide* touching this business on *Tuesday* the 20th day of *December* last past, and on *Thursday* the 12th day of this instant *January* foregoing; as also on *Monday* the 16th day, and *Tuesday* the 17th day of the same Month next ensuing.

The Earl of *Essex* not able to attend for want of health was certified by the Lord *North*.

The Bishop of *Landaff* absent by reason of sickness signified by the Bishop of *Chester*.

On *Monday* the 16th day of *January*, to which day the Parliament had been last continued on *Saturday* foregoing, Two Bills had each of them one reading; of which the second being the Bill for confirmation of Statutes Merchant acknowledged in the City of *Lincoln* and the Town corporate of *Nottingham*, was read *secundâ vice*, and committed unto the Lord Treasurer of *England*, the Earl of *Essex* Earl Marshal, the Earl of *Nottingham* Lord Admiral, the Earl of *Northumberland*, the Earl of *Shrewsbury*, the Bishop of *Winchester*, the Bishop of *Bath* and *Wells*, the Bishop of *Chester*, the Lord *Evers*, the Lord *North*, the Lord St. *John* and the Lord *Buckhurst*; the Lord Chief Justice of the Common Pleas, Mr Justice *Clench*, Mr Serjeant *Drew* and Mr Attorney General to attend their Lordships. *Vide* concerning this attendance of the Judges on *Monday*

the 7th day of *November* foregoing.

Report was made to the House by the Lord Archbishop of *Canterbury*, that upon the meeting of such of the Lords of the Upper House as were appointed this day to confer with certain select Knights and Burgesses of the House of Commons concerning the Amendments and Provisoes added by their Lordships to the Bill intituled An Act for erecting of Houses of Correction, &c. The said Knights and Burgesses do hold themselves satisfied upon the reason alledged by their Lordships in some part of the said Amendments, but not in all. *Vide* concerning this matter on *Saturday* the 14th day of this instant *January* foregoing.

Kirkham was called into the House before their Lordships, and after he had been heard what he was able to say in his own behalf concerning the Bill, the same was read the second time, *viz.* The Bill concerning a Lease of great yearly value procured to be passed from her Majesty by *William Kirkham* was read *secundâ vice*, and Ordered to be engrossed. *Vide* concerning this Bill on *Friday* the 13th day of this instant *January* foregoing, as also on *Tuesday* the 17th day of the same Month immediately ensuing.

Two Bills also had each of them one reading; of which the first being the Bill for repressing of offences that are of the nature of *stealth*, &c. was returned unto the House by the Earl of *Essex*, the first of the Committees, with certain Amendments; which Amendments were presently thrice read, and sent by M^r Serjeant *Drew* and M^r D^r *Stanhop* to the House of Commons for their consideration.

A Motion was made, that a Proviso should be added to the Bill concerning the Bishoprick of *Norwich*; which Proviso was presently drawn in the House by M^r Attorney, and thereupon read. And for the more expedition in the proceeding of the Bill, it was thought meet, that the Lord Archbishop of *Canterbury*, the Earl of *Essex* Lord Marthal, the Earl of *Nottingham* Lord Admiral, the Bishop of *London*, the Lord *Hunsdon* Lord Chamberlain, and the Lord *Cobham* should confer with a competent number of the House of Commons about the said Proviso. Whereupon M^r Serjeant *Drew* and M^r Attorney were sent to the said House of Commons to signify the same. Who presently assented to a meeting, and made their repair to their Lordships forthwith accordingly. *Vide* concerning this matter on *Tuesday* the 20th day of *December* foregoing, and on *Thursday* the 12th day, and on *Saturday* the 14th day of this instant *January* last past; as also on *Tuesday* the 17th day of the same Month immediately ensuing.

Four Bills were brought up to the Lords from the House of Commons; of which the last was the Bill for confirmation and better assurance and conveyance of certain Mannors, Lands, Tenements and Hereditaments given and intended to an Hospital or *Meason de Dieu* in *Warwick*, founded and established by the Earl of *Leicester*.

Vide postea concerning this Bill on to Morrow following.

On *Tuesday* the 17th day of *January* it was agreed upon in the House, that the Committees upon the Bill for maintenance of Husbandry and Tillage (who were appointed on *Wednesday* the 11th day of this instant *January* foregoing) should meet for perfecting of the same at the great Council Chamber at the Court at *Whitehall* this present day, by two of the Clock in the Afternoon.

The Bill concerning a Lease of great yearly value procured to be passed from her Majesty by *William Kirkham*, was read *tertiâ vice*, and sent to the House of Commons by M^r Serjeant *Drew* and M^r D^r *Stanhop*. *Vide* touching this business on *Friday* the 13th day, and on *Monday* the 16th day of this instant *January* foregoing.

Two Bills had each of them one reading; of which the second being the Bill for confirmation and better assurance and Conveyance of certain Mannors, Lands, Tenements and Hereditaments given and intended to an Hospital or *Meason de Dieu* in *Warwick*, founded and established by the late Earl of *Leicester*, was read *primâ vice*.

George Ognell and the parties that follow the Bill for the Hospital, to be heard openly in the House by their Council Learned to Morrow the 18. day of this instant *January* in the Morning. *Vide* concerning this business on *Monday* the 16. day of this instant *January* foregoing, *in fine Diei*.

A Proviso drawn by M^r Attorney by Commandment of the House and appointed to be added to the Bill for establishing the Bishoprick of *Norwich*, &c. was twice read and commanded to be ingrossed; And then both the Bill and the Proviso being read the third time, were returned to the House of Commons for their consideration of the Proviso. *Vide* touching this matter on *Tuesday* the 20th day of *December* foregoing, and on *Thursday* the 12. day, *Saturday* the 14. and on *Monday* the 16. day of this instant *January* foregoing.

The Earl Marthal was added to the Bill concerning Accomptants.

Three Bills lastly had each of them one reading; of which the last being the Bill for some better staying of Corn within the Land, to give liberty to English Subjects sometimes to buy Wheat, &c. and to sell the same again in the same kind, for the better relief of the Commonwealth, was read *tertiâ vice* and rejected.

On *Wednesday* the 18th day of *January*, the Lord Keeper signified to the House, that the parties that follow the Bill for the Hospital of *Warwick* are not provided of their Council Learned. Whereupon the House assigned them a new day, *viz.* *Friday* Morning the 20. day of this instant *January* following. *Vide* concerning this matter on *Monday* the 16. day, and on *Tuesday* the 17. day of this instant Month foregoing.

Four Bills of no great moment had each of them one reading; of which the two last, the one

one for the avoiding of bringing in of Pins, and the other for the better furnishing and supplying of skilful Chirurgeons in and to the Land and Sea services for her Majesty and the Realm, were each of them upon the second reading rejected.

The Earl Marshal was added to the Bill for Broakers and Pawn-takers.

The Committees upon the Bill for confirmation of Statute Merchants in the Cities of *Lincoln* and Town of *Nottingham*, and the Committees upon the Bill concerning Tellors and Receivors were appointed to meet this present day.

The Councel learned on both sides upon the Bill concerning Mr *Mollineux* were appointed to be heard openly in the House on *Saturday* next, being the 21th day of this instant *January*, and warning to be given in the mean while thereof to the parties.

The Amendments agreed upon by the Councel upon the Bill of Tillage (who were appointed on *Wednesday* the 11th day of this instant *January* foregoing) were appointed to be brought into the House to Morrow Morning by the Lord Chief Justice of *England*.

The Lord *Buckhurst* signified, That upon a Letter written unto him by the Lord Marques of *Winchester*, notifying his present sickness whereby he was not able to give his Attendance as yet, the said Lord *Buckhurst* having moved her Majesty therein according to the request of the said Lord Marques, it pleased her Majesty to hold him excused for the present until his recovery, and commanded that he should then give his Attendance.

On *Thursday* the 19th day of *January* the Bill for reforming of certain abuses touching Wine Casks was read *secundâ vice*, and committed unto the Lord *Burleigh* Lord Treasurer, the Earl Marshal, the Earl of *Nottingham* Lord Admiral, the Bishop of *Rochester*, the Bishop of *Chichester*, the Lord *North*, the Lord *Buckhurst*, the Lord *Howard* of *Walden*; and Mr Justice *Owen* and Mr Serjeant *Drew* to attend their Lordships. *Vide* concerning this attendance of the Judges on *Monday* the 7th day of *November* foregoing) which said Committees were appointed to meet at the little Council Chamber at the Court at *Whitehall* at three of the Clock in the Afternoon.

Certain Amendments and a Proviso was brought into the House and delivered, by the Archbishop of *Canterbury*, the first of the Committees upon the Bill of Maintenance of Husbandry, &c. and the same being twice read were commanded to be ingrossed.

Answer was returned in writing from the House of Commons, and delivered by certain Knights and Burgeses sent for that purpose, unto the Objections taken by their Lordships to some Points of the Bill intituled An Act for the increase of People for the service and defence of the Realm; which objections were also formerly

delivered unto them in writing upon their request made unto their Lordships.

Certain selected Persons of the House of Commons, viz. Sir *William Knolls* and Sir *Edward Hobby* Knights, with divers others coming from the said House of Commons, in delivered a Message signifying that the said Knights and Burgeses desired to receive satisfaction, from the Lords concerning an Innovation (as the said Knights and Burgeses supposed) very lately begun in the Upper House in delivering of an Answer from the Lords by the Mouth of the Lord Keeper, in other form and manner than was pretended by the Knights and Burgeses to have been in former times used, and, as they did interpret it, to the prejudice and derogation of the liberty of the House of Commons. For whereas on the fourteenth day of this instant *January* foregoing, Sir *Walter Raleigh* Knight with divers others of the said House of Commons were sent up to the Lords to deliver a certain Message to the House, after Consultation had thereon by the Lords, and after signification given to the said Sir *Walter Raleigh* and the rest (staying in the outward Room for Answer) that they might come in to receive the same; it was thought meet that the Lord Keeper should deliver the said Answer fitting in his place, and all and every of the Lords keeping their places, and not going down to the Bar as the use and form is, when the Lord either receive Bills or Message from the House of Commons, and as the Lord Keeper had done once or twice before by Error, or not attending the Formality and Order of the House in that Point. This was the Exception taken by the Message delivered this day from the Knights and Burgeses of the same House of Commons, wherein they desire to receive satisfaction as is before mentioned.

Upon which Message the Lords having consulted and delivered their Opinions touching the said Order and Custom of the House, as it had been observed and particularly noted and remembered by some of them that were the most ancient and of longest continuance in Parliaments, and especially by the Lord *Burleigh* Lord Treasurer, the most ancient Parliament man of any that were at that time present either of the Upper House or House of Commons, and likewise by the Lord Archbishop of *Canterbury*, and by the Lord Admiral, the Lord *North*, the Lord *Buckhurst* and others, that had been present in many Parliaments; It was resolved that the Order and usage of the House was and is, That when any Bills or Messages be brought from the House of Commons to be preferred to the Upper House, the Lord Keeper and the rest of the Lords are to arise from their places, and to go down to the Bar, there to meet such as come from the said House of Commons, and from them to receive in that place their Messages or Bills: But contrariwise when any Answer is to be delivered by the Lord Keeper, in the name and behalf of the House, to such Knights and

Burgeſſes as came from the Houſe of Commons, the ſaid Knights and Burgeſſes are to receive the ſame ſtanding towards the lower end of the ſaid Upper Houſe without the Bar, and the Lord Keeper is to deliver the ſame ſitting in his place with his head covered, and all the Lords keeping their places; and that whenſoever it had been otherwiſe done, it had been by error and miſtaking, and therefore not to be drawn into an Example or Precedent as it was acknowledged by the Lord Keeper this day and the reſt of the Lords, that the going of the ſaid Lord Keeper and the reſt of the Lords from their places to the Bar ſome few days before, once or twice, to give Answer to ſome of the Houſe of Commons (whereof the ſaid Houſe of Commons ſeemed to take ſome advantage) was only by miſcognizance or rather for want of due remembrance at that preſent of the Order and Cuſtom of the Houſe, whereunto their Lordſhips (having regard rather to diſpatch of matters of importance in the Houſe, than to formalities) were not greatly intente. This to have been the ancient uſage of the Houſe, and that the ſame ought ſtill to be, was concluded by common and general conſent, both upon particular remembrances and obſervations of the like courſe and Order holden aforetime by other Lords that held the place in the Houſe of Lord Chancellor or Lord Keeper, and alſo by divers reaſons produced and alledged to prove and ſhew, that the ſaid Order doth beſt ſtand with the dignity and gravity of the Houſe, and with the conveniency and aptneſs for diſpatch of affairs appertaining to the Parliament; and that the contrary courſe is both undecent and inconvenient.

This being ſo reſolved and concluded, it was agreed that M^r Attorney General and Mr. Serjeant *Drew* ſhould go down to the Houſe of Commons, and ſignify from the Lords to the Knights and Burgeſſes, That if they would ſend any of that Houſe up to the Lords to receive Answer unto their aforeſaid Demands, Answer ſhould be given them. Whereunto the ſaid Knights and Burgeſſes returned ſignification of their aſſent by the ſaid M^r Attorney General and M^r Serjeant *Drew*. And in very little time after ſent up accordingly the ſame perſons who before had been ſent to demand ſatisfaction. But being come into the Houſe, and having placed themſelves at the lower end of the ſaid room, (as at other times they accuſtomed, except the Lord Keeper and the reſt of the Lords would come from their places and meet them at the Bar to deliver them Answer) the Lord Keeper moved them to come nearer to receive Answer. And when they perceived that the Lords were reſolved not to come from their places to the Bar, they proteſted by the Mouth of Sir *William Knolles*, that they had no Commiſſion to receive Answer in that form. And ſo reſuſing to receive any Answer, departed. The queſtion and difference thus remaining betwixt the Houſes, it was afterwards upon a Motion ſent down from the Lords to the Houſe of

Commons agreed on both parts, that a Conference ſhould be had, and that the aforeſaid ſelected perſons of the ſaid Houſe of Commons, or ſo many of them as ſhould be needful ſhould meet with divers of the Lords of the Upper Houſe (being nominated by the Houſe for that purpoſe) in the outward great Chamber before the Chamber of Parliament preſence, to debate the matter and bring it to a concluſion. Which Meeting and Conference being aſſented unto, and afterwards accordingly there performed on the . . . of *January*, and the Queſtions debated and the reaſons and obſervation of former time for the aforeſaid Order and Cuſtom of the Houſe being alledged by the Lord Archbiſhop of *Canterbury*, the Lord *Burleigh* Lord Treafurer, the Earl of *Nottingham* Lord Admiral, the Lord *North* and the Lord *Buckhurſt*, that had been preſent in many Parliaments, (and eſpecially by the Lord Treafurer the moſt ancient Parliament Man) it was found and obſerved that the Order and Cuſtom of the Houſe was as is before written; *videlicet*, that when any Bills or Meſſages are brought from the Houſe of Commons to be preſented to the Upper Houſe, the Lord Keeper and the reſt of the Lords are to ariſe from their places and to go down to the Bar, there to meet ſuch as come from the Houſe of Commons, and from them to receive in that place their Meſſages or Bills: But contrariwiſe when any Answer is to be delivered by the Lord Keeper in the name and behalf of the Houſe to ſuch Knights and Burgeſſes as come from the Houſe of Commons, the ſaid Knights and Burgeſſes are to receive the ſame ſtanding towards the lower end of the ſaid Upper Houſe without the Bar, and the Lord Keeper is to deliver the ſame ſitting in his place with his Head covered, and all the Lords keeping their places. And thereupon the Houſe of Commons was ſatisfied, and the ſame form was afterwards kept accordingly.

On *Friday* the 20th day of *January*, the Answer that came yeſterday from the Houſe of Commons to the Objections taken by their Lordſhips to ſome points of the Bill intituled An Act for the encrease of people for the ſervice and defence of the Realm, was by the Order of the Houſe reſerr'd and delivered to the Lords Committees formerly appointed upon that Bill, on *Tuesday* the 20th day of *December* foregoing, who were required to conſider thereof and to make their Report of their Opinions concerning the ſame.

The Bill for puniſhment of Rogues, Vagabonds and Sturdy Beggars was read *primâ vice*, A former Bill of that nature having been rejected in the Houſe of Commons.

The Bill for the maintenance of Husbandry and Tillage was read *tertiâ vice*; and the Amendments and Proviſo were thrice read, together with the Bill, and were ſent down to the Houſe of Commons for their conſideration of the Amendments and Proviſo by M^r Attorney General and M^r D^r *Stanhope*.

The Bill for reforming of sundry abuses committed by Souldiers and others in her Majesties Services concerning the Wars was read *primâ vice*. A former Bill of this nature having been considered of by the Committees was by them refused for many defects found therein, and this preferred to the House instead thereof.

The House having not time to hear the Council Learned on the behalf of *George Ognell* and those that follow the Bill for the Hospital of *Warwick*, as was formerly appointed, a new time was appointed for the hearing of the same, *viz.* on *Monday* Morning next, being the 23th day of this instant *January*.

Four Bills were brought up to the Lords from the House of Commons by *Sir William Knolles* and others; of which the first being the Bill to reform deceit and breaches of Trust touching Lands given to Charitable uses, was read *primâ vice*.

On *Saturday* the 21th day of *January*, Four Bills of no great moment had each of them one reading; of which the second being the Bill for repealing of a branch of a Statute made in the thirty fourth year of *Hen. 8.* Intituled the Ordinance of *Wales*, was read *secunda vice*, and committed unto the Archbishop of *Canterbury*, the Lord Marshall, the Earl of *Shrewsbury*, the Earl of *Worcester*, the Bishop of *Worcester*, the Bishop of *Landaff*, the Bishop of *Chester*, the Lord *La Ware*, the Lord *Rich*, the Lord *Chandois* and the Lord *Compton*; and the Lord Chief Baron and Mr Baron *Evers* to attend their Lordships. *Vide* concerning this Attendance of the Judges upon the Lords Committees on *Monday* the 7th day of *November* foregoing.

The parties on both sides concerning the Bill of *Edward Mollineux* were openly heard by their Council; and thereupon the said Bill was referred to Committees, &c. *Vide* touching this Bill on *Tuesday* the 13th day, and on *Saturday* the 17th day of *December* foregoing.

On *Monday* the 23th day of *January*, to which day the Parliament had been last continued on *Saturday* foregoing, Three Bills of no great moment had each of them one reading; of which the first being the Bill for establishing a Jointure to *Anne Lady Wentworth* was read *primâ vice*.

Five Bills were brought up to the Lords from the House of Commons; of which the first being the Bill for Naturalizing of certain Englishmens Children and others born beyond the Seas, was returned with the allowance of the Amendments expedited. And the third for repressing of offences that are of the nature of stealth, and are not Felonies by the Laws of the Realm, was likewise returned with allowance of the Amendments expedited.

Committees were appointed to confer with a competent number of the House of Commons concerning the Bill Intituled An Act for the encrease of people for the service and defence of the Realm, and the meeting desired to be to

Morrow Morning the 24th day of this instant *January* before the House sit, which the House of Commons Assented unto, *viz.* the Earl of *Shrewsbury*, the Lord Viscount *Bindon* and others.

The Committees that were appointed for Conference the 12th day of *December* foregoing upon the Bill concerning Tellors, Receivors, &c. were now appointed to meet (adding unto them the Earl Marshall) to Morrow, &c. the meeting also assented unto by the House of Commons with a competent number of them.

The Council Learned on part of *George Ognell*, and on the behalf of the Hospital of *Warwick*, &c. were openly heard in the House. *Vide* concerning this business on *Monday* the 16th day, *Tuesday* the 17th day, and *Friday* the 20th day of this instant *January* foregoing.

Excuse was made by the Bishop of *London* for the Bishop of *Norwich* in regard of his unhealthiness.

The Committees in the Bill for punishment of Rogues, Vagabonds, &c. (who were appointed on *Saturday* the 21th day of this instant *January* foregoing) returned the same to the House with some Amendments by the Lord Archbishop of *Canterbury*, and the Lord Chief Justice required to consider of the Amendments.

Two Bills were brought up to the Lords from the House of Commons; of which the first being that Lessees may enjoy their Leases against all Patentees, their Heirs and Assigns, notwithstanding any default of payment of their Rents during the time that the Reversion or Inheritance remained in the Crown, was presented by *Sir Robert Cecil* and others.

On *Tuesday* the 24th day of *January*, Three Bills of no great moment had each of them their first reading; of which the first was, that no person robbing any House in the day, although no person be therein, shall be admitted to have benefit of Clergy.

The Bill Entituled An Act for reforming of sundry abuses committed by Souldiers and others used in her Majesties Services concerning the Wars, was returned by the Lord Marshall second of the Committees, with sundry Amendments thought meet to be added; which Amendments were presently twice read, and after consideration thereof had, and much debate whether the Bill should so pass or no, it was thought necessary to be recommitted to the said Committees (who were appointed on *Monday* the 16. day of this instant *January* foregoing) and the time and place appointed presently at the little Chamber near the Parliaments presence. The Bill was brought in again with the same Amendments and no Alteration, and thereupon commanded to be engrossed.

The Bill entituled An Act for the relieving of Clothiers concerning the weight of short, broad and coloured Cloths to be made within the Counties of *Suffolk* and *Essex*, was returned to the House by the Earl of *Shrewsbury* the first of the Committees, who made Report that upon hearing

ing of both Parties, and upon due consideration of the reasons and allegations by them alledged, the Committees thought there could not be any further proceedings in the same. Whereupon a new Bill was presented bearing this Title, *viz.* An Act touching the making of short, broad, course coloured Cloths in the Counties of *Suffolk* and *Essex*, which was presently read *primâ vice*.

The Bill for punishment of Rogues, Vagabonds, &c. was brought into the House by the Lord Chief Justice with certain Amendments.

It was debated in the House whether Amendments upon a Bill being brought into the House by the Committees, may afterwards be contradicted or spoken against by any of the Committees: but the doubt was left for the present unresolved. *Vide* on *Thursday* the 12th day of *November* in the Parliament *de Anno* 43 *Regin. Eliz.* where this doubt was cleared and ruled affirmatively.

On *Wednesday* the 25th day of *January*, Three Bills had each of them one reading; of which the last was the Bill, that Lessees may enjoy their Leases against all Patentees their Heirs and Assigns, notwithstanding any default of payment of their Rents during the time that the Reversion or Inheritance remained in the Crown.

Sir *Moile Finch* to be heard by his Council Learned to Morrow openly in the House concerning this Bill.

Four Bills of no great moment were brought up to the Lords from the House of Commons; of which the first was the Bill for maintenance of Husbandry and Tillage.

Two Bills had each of them one reading; of which the first being the Bill for reforming of sundry abuses by Souldiers and others used in her Majesties Services concerning the Wars, was read *tertiâ vice*.

The Earl Marshal informing that the Committees upon the Bill for the lawful making of Bays, &c. (who had been appointed on *Thursday* the 12th day of this instant *January* foregoing) had not time at the day formerly assigned; and moving for a new day to be appointed for their meeting, the House appointed that the said Committees should meet for that purpose this Afternoon at the said Earl Marshals Chamber.

Notice was given to the House by the Lord Treasurer, that the Committees upon the Bill concerning Tellors, Receivors, &c. had a meeting with a select number of the House of Commons to confer upon the Objections and Answers touching that Bill Yesterday in the Afternoon, according to the Order taken the 23th day of *January*: But for as much as the said number of the House of Commons at the meeting affirmed that they had no Authority to undertake the debating of the said Objections and Answers (otherwise than to speak as they should see cause as private men) and desired that the Answer might be communicated to the said Commons in writing; the Lords therefore sent down the said

Answers to the House of Commons by the hands of Mr Attorney General, and Mr Doctor *Stanhop*.

The Committees upon the Bill concerning the draining of Waste and Marish grounds, and (who had been appointed on *Wednesday* the 11th day of this instant *January* foregoing) were appointed to meet at the Earl Marshals Chamber this day by two of the Clock in the Afternoon.

The Amendments upon the Bill for punishment of Rogues, Vagabonds, &c. were twice read; And thereupon the Bill with the said Amendments was commanded to be engrossed.

On *Thursday* the 26th day of *January*, the Bill to enable *Edward Mollineux* to sell his Lands for the payment of his debts, &c. was returned by the Earl Marshal the second of the Committees, by reason of some of the Kindred of the said *Edward Mollineux* who opposed themselves against the Bill. A Motion was therefore made that the Cause might be ended by some Arbitrary Course. Whereupon the Parties on both sides were called into the House and moved to that purpose; unto which they assented, and made choice of the Earl of *Rutland*, the Lord Bishop of *London*, and the Lord *Mountjoy*, who were appointed to meet this Afternoon (*Vide* concerning this matter on *Tuesday* the 17th day of *December* foregoing.)

Six Bills of no great moment had each of them one reading; of which the fifth being the Bill for punishment of Rogues, Vagabonds and Sturdy Beggars was read *tertiâ vice*, and sent down to the House of Commons by Mr Serjeant *Drew* and Mr Attorney General.

The Bill for the lawful making of Bayes, &c. was returned by the Earl Marshal the second of the Committees, with a Proviso thought meet to be added; which Proviso was twice read, and commanded to be engrossed.

The Bill to reform deceits and breaches of Trust touching Lands given to Charitable uses, was returned to the House by the Archbishop of *Canterbury*, the first of the Committees, with some Amendments, and a Proviso thought meet to be added, which were twice read, and thereupon Commandment given that the said Amendments should be written in Paper, and the Proviso engrossed in Parchment ready for a third reading.

Upon a Motion by the Earl Marshal that the Committees in the Bill against lewd and wandering persons (who were appointed Yesterday) had not convenient time this Morning to perfect the said Bill according to the Order of the House agreed upon Yesterday; their Lordships appointed the said Committees to meet again about the same to Morrow Morning before the House sit.

The Bill entituled An Act for the encrease of people for the service and defence of the Realm, was returned to the House by the Earl of *Shrewsbury*, the first of the Committees. And because it seemed to all the Committees appointed for this

this Bill (together with the Judges) that notwithstanding the Conference with divers selected persons of the House of Commons, this Bill could not proceed; Order was given to the Judges, and especially to the Lord Chief Justice, to draw a new Bill. Whereupon this new Bill following was brought into the House.

The Bill against decaying of Towns and Houses of Husbandry was read *primâ vice*.

The Bill against carrying of Pelts, &c. was returned into the House by the Earl Marshal.

Excuse was made by the Lord Admiral for the Earl of Hereford's absence for want of health.

The like excuse by the Lord Chandois for the Lord La Ware.

The Earl Marshal signified unto the House that the Lord Mordant and the Lord Sheffeld have leave of her Majesty for their absence.

On Friday the 27th day of January, Two Bills of no great moment had each of them one reading; of which the first being the Bill to prohibit the carrying of Herrings beyond the Seas was read *secundâ vice*: but no mention that it was committed.

The Bill against decaying of Towns and Houses of Husbandry was read *secundâ vice*.

Certain Amendments upon this Bill were drawn by the Lord Chief Justice, and being allowed by the House were also twice read; and thereupon the Bill with the said Amendments was commanded presently to be engrossed.

The Bill touching the making of short broad, course coloured Cloths in the Counties of Suffolk and Essex was upon the second reading committed unto the Earl of Shrewsbury, Lord Viscount Bindon, the Lord Bishop of London, the Bishop of Bath and Wells, the Bishop of Norwich, the Lord Hunsdon Lord Chamberlain, the Lord Zouch, the Lord Wharton, the Lord Darcie of Chich, and the Lord Buckhurst; and the Lord Chief Justice of England, the Lord Chief Baron, Mr Justice Owen and Mr Baron Evers to attend their Lordships.

Two Bills lastly had each of them their third reading; of which the first being the Bill to reform deceits and breaches of Trust touching Lands given to charitable uses with some Amendments, was returned to the House of Commons by Mr Serjeant Drew and Mr Doctor Stanhop for their consideration of the said Amendments.

The Lord Treasurer took his place this day as Baron of Burleigh, between the Lord Buckhurst and the Lord Compton.

The Lord Admiral took his place as Earl of Nottingham, between the Earl of Lincoln and the Lord Viscount Bindon.

And the Lord Chamberlain his place as Baron of Hunsdon, between the Lord Chandois and the Lord St John of Bletso.

On Saturday the 28th day of January, the Bill for the lawful making of Bayes, &c. The Bill to restrain the excessive making of Malt, and one other of no great moment were each of them

read *tertiâ vice*, and sent down to the House of Commons by Mr Serjeant Drew and Doctor Carew.

The Bill for establishing a Jointure to Anne Lady Wentworth was read *secundâ vice*, and committed unto the Earl of Essex Lord Marshal, the Earl of Northumberland, the Earl of Shrewsbury, the Bishop of Winchester, the Bishop of Bath and Wells, the Bishop of Norwich, the Lord Chamberlain, the Lord Zouch, the Lord Cobham, the Lord Sandes, the Lord Chandois and the Lord Compton; and Mr Baron Clerke and Mr Baron Evers or either of them to attend their Lordships.

The Bill lastly for confirmation of Statutes Merchants acknowledged in the Town Corporate of Newcastle upon Tyne, was read *secundâ vice*. But no mention is made in the Original Journal-Book that this Bill was committed; for at the next sitting, viz. Die Lune 30^o die Januarii, the same Bill was read *tertiâ vice*, and sent to the House of Commons by Doctor Carew and Doctor Stanhop.

On Monday the 30th day of January, to which day the Parliament had been last continued on Saturday foregoing, the Bill for retailing Broakers and other Pawn-takers was returned to the House by the Lord Archbishop of Canterbury, the first of the Committees. And because the Committees found many defects therein, so that they thought the same unfit to proceed, they therefore together with the said Bill presented a new Bill intituled as the former, which was read *primâ vice*.

The Bill touching the making of short broad course coloured Cloths (which was committed on Friday the 27th day of this instant January foregoing) was returned to the House by the first of the Committees; and therewithal, because the same was by the said Committees thought defective, a new Bill of the same title was likewise presented.

Two Bills of no great moment had each of them one reading; of which the second being the Bill for confirmation of Statutes Merchant acknowledged in the Town Corporate of Newcastle upon Tyne, was read *tertiâ vice*, and sent down to the House of Commons by Dr Carew and Dr Stanhop.

Seven Bills were sent up to the Lords from the House of Commons; of which the fourth being the Bill against lewd and wandering persons pretending themselves to be Souldiers or Mariners, was returned with the allowance of an Amendment which was added by the Lords.

Sir Robert Cecill and other Knights and Burgeses that brought the seven Bills last mentioned, and moved the House for a Conference concerning the Bill sent from their Lordships intituled An Act for reforming of sundry abuses committed by Souldiers and others used in her Majesties Services concerning the Wars, to which Conference the Lords assented, and the time and place appointed to Morrow in the Afternoon at the Great

Council Chamber at the Court at *Whitehall*, and the same Committees that were formerly appointed on *Monday* the 16th day of this instant *January* foregoing, and the Earl of *Suffex*, the Earl of *Shrewsbury*, the Earl of *Rutland*, the Lord *Zouch* and the Lord *Cobham* were added unto them.

The Bill intituled An Act for the enabling of *Edmund Mollineux Esq;* to sell the Lands, &c. was returned to the House by the Earl of *Rutland*, the first of the Committees or Arbitrators, with Amendments, which were twice read, and agreed, that the Bill should be engrossed. (*Vide* touching this matter on *Tuesday* the 13th day, and on *Wednesday* the 14th day of *December* foregoing, as also on *Thursday* the 26th day of this instant *January* last past.)

A new meeting was appointed for the Committees upon the Bill intituled An Act for reformation of certain abuses touching Wine-Casks, (who were appointed on *Thursday* the 19th day of this instant *January* foregoing) and the time and place appointed to Morrow Morning in the little Chamber near the Parliament presence.

On *Tuesday* the 31th day of *January*, the Committees in the Bill concerning Lessees and Patentees (who had been appointed on *Wednesday* the 25th day of this instant *January* foregoing) were this day appointed to meet to Morrow the first day of *February* following in the Afternoon in the little Chamber near the Parliament presence, and the Judges there required to attend.

The Bill for retailing Broakers and other Pawn-takers was read *secundâ vice*, and was referred to the Committees formerly appointed for that Bill (on *Saturday* the 14th day of this instant *January* foregoing) with Addition of some Lords, who met presently about the same, and returned the Bill with some Amendments; which being presently twice read, the Bill was commanded to be ingrossed.

The Bill for reformation of certain abuses touching Wine-Casks was returned by the Earl of *Nottingham*, the second of the Committees, with some Amendments; which were presently twice read, and the Bill commanded to be ingrossed.

Three Bills of no great moment had each of them one reading; of which the last being the Bill concerning *Garret de Malynes* and *John Hunger Merchant Strangers* was read *primâ vice*.

The Bill for establishing a Jointure to *Anne Lady Wentworth* was returned unto the House with some Amendments, and a Proviso thought meet to be added; which Amendments and Proviso were twice read, and the Bill commanded to be ingrossed.

A Motion was made from the House of Commons by Sir *John Fortescue* and others, that some new time might be appointed for Conference about the Bill intituled An Act to reform sundry abuses committed by Souldiers, &c. in regard they had appointed some other meeting this Af-

ternoon for preparing of a Bill of Accomptants in readiness to proceed, their Lordships having considered of the Motion, made Answer by the Lord Keeper, That they wished (for some good consideration) that the appointed time, *viz.* this Afternoon might hold for this Conference, supposing that if it pleased the Committees of the House of Commons to come somewhat the sooner this Afternoon for this purpose, they might well enough perform both the one and the other. *Vide diem precedentem.*

Two Bills lastly had each of them one reading; of which the first being the Bill for enabling of *Edmund Mollineux Esq;* to sell Lands for payment of his Debts and Legacies, was read *tertiâ vice*, and sent down to the House of Commons by Serjeant *Drew* and D^r *Carew*. *Vide* concerning this matter on *Tuesday* the 13th day, and on *Saturday* the 17th day of *December* foregoing; as also on *Thursday* the 20th day, and on *Monday* the 30th day of this instant *January* last past.

On *Wednesday* the first day of *February*, the Bill intituled An Act for the reviving, continuance, Explanation, perfecting and repealing of divers Statutes was returned to the House by the Lord Chief Justice with some Amendments, which were presently twice read, and thereupon commandment given to be prepared ready in written Paper for a third reading. It was agreed that a Conference should be had with some of the House of Commons about this Bill upon *Friday* Morning next.

The Bill for establishing of the Lands given by *John Bedford's Will* was read *secundâ vice*, and committed; which said Committees were appointed to meet presently in the little Chamber near the Parliament presence, who returning with some Amendments and a Proviso thought meet to be added to the said Bill, the said Amendments and Proviso were forthwith twice read, and the Bill thereupon commanded to be engrossed.

Two Bills had each of them one reading; of which the second being the Bill for Confirmation of the Jointure of the Lady *Varney* Wife of Sir *Edmund Varney*, was returned to the House by the Earl of *Shrewsbury*, the second of the Committees, with some Amendments, which were presently twice read, and thereupon commanded to be engrossed.

The Bill lastly concerning *Garret de Malynes* and *John Hunger*, Merchants Strangers, was read *secundâ vice*; and the parties on both sides are to be heard openly in the House by their Council Learned on *Friday* Morning next.

On *Friday* the third day of *February*, to which day the Parliament had been last continued on *Wednesday* foregoing, Three Bills had each of them one reading; of which the first being the Bill for the establishing the Lands given by *John Bedford's Will*, &c. was read *tertiâ vice*, and sent to the House of Commons by Serjeant *Drew* and Doctor *Stanhop*, for their consideration

ration of the Amendments and a Proviso added.

The Amendments and a Proviso in the Bill for recovering of three hundred thousand Acres more or less of Waste Marish and Watery grounds, &c. were this day twice read, and thereupon Commandment given that the said Amendments should be written in Paper, and the Proviso ingrossed in Parchment, ready for a third reading.

Four Bills were brought up to the Lords from the House of Commons; of which the first was the Bill concerning a Lease of great yearly value procured to be passed from her Majesty by *William Kirkham* the younger.

The Bill against deceitful stretching and tentering of Northern Cloths was returned to the House by the Earl of *Shrewsbury*, the first of the Committees, with some Amendments, and a Proviso thought meet to be added; which Amendments and Proviso were twice read, and Commandment given that the said Amendments should be written in Paper and the Proviso ingrossed in Parchment ready for a third reading.

The Council Learned as well on the part of *Garrett de Malynes*, as of *John Hunger*, &c. was openly this day heard in the House. *Vide* concerning this Bill *in fine diei præcedentis*.

Report was made by the Lord Treasurer, what the substance of the Conference was between their Lordships and certain select Members of the House of Commons concerning the Bill for reviving, continuing and repealing of divers Statutes: And the same was referred to the Lord Chief Justice and others for their further consideration.

On *Saturday* the 4th day of *February* the Bill concerning Broakers and Pawn-takers, the Bill against the deceitful tentering of Northern Cloths, and the Bill for reviving, continuance and perfecting of divers Statutes were each of them read *tertiâ vice*, and passed the House, and were sent down to the House of Commons (of which the two latter were returned) for their consideration of certain Amendments and Provisoes added by their Lordships.

Two Bills had each of them one reading; of which the second being the Bill for Confirmation of Letters Patents granted by the Queens Majesty to the Mayor, &c. of the City of *Lincoln* in the thirty ninth year of her Reign for the taking of the acknowledgment of Statutes Merchants, was upon the second reading committed unto the Earl of *Shrewsbury*, the Earl of *Rutland*, the Bishop of *Bath* and *Wells*, the Bishop of *Chester*, the Lord *Zouch*, the Lord *Windsor*, the Lord *Wharton*, the Lord *Rich*; and Mr Justice *Clinch* to attend their Lordships.

The Bill concerning *Garret de Malynes* and *John Hunger*, Merchants Strangers, was read *tertiâ vice*. *Vide* concerning this matter on *Wednesday* the first day and on *Friday* the third day of this Instant *February* foregoing.

The Proviso added in the House of Commons

concerning the Joynture of *Christian Lady Sands* was this day twice read.

The Proviso thought meet by the Committees in the Bill concerning the draining and recovery from the Water of certain overflowengrounds in the County of *Norfolk*, was twice read and Ordered to be ingrossed.

A Motion was made by the Lord *Buckhurst*, that the County of *Sussex* might be added to the general Bill of surrounded Grounds.

The like motion was made by the Lord *North* and others for the Counties of *Somerset* and *Essex*: whereunto the House assented. And the said three Counties were accordingly added to the rest.

On *Monday* the 6th day of *February*, the Bill for the confirmation of Letters Patents granted by the Queens Majesty to the Mayor, &c. of the City of *Lincoln*, &c. was returned to the House by the Earl of *Shrewsbury*, the first of the Committees, with some Amendments, and a Proviso thought meet to be added.

The Bill that Lessees may enjoy their Leases against all Patentees their Heirs and Assigns was returned to the House by the Lord Archbishop of *Canterbury*, the first of the Committees, with a Proviso thought necessary to be added.

Excuse was made by the Earl Marshal for the absence of the Earl of *Sussex*, in regard of his unhealthiness. The like excuse was made by the Bishop of *Rockester* for the Bishop of *Coventry* and *Litchfield*.

Four Bills were brought up to the Lords from the House of Commons; of which the first was for the more speedy payment of the Queens Majesties debts, &c. and the second against the Excess of Apparel.

The Bill for the explanation of an Act for the necessary relief of Souldiers and Mariners, &c. The Bill for the recovering of three hundred thousand Acres of Marsh-grounds more or less, with one other of no great moment, were each of them read *tertiâ vice* and passed the House, and were sent down to the House of Commons by Dr *Carew* and Dr *Stanhop*.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usque in secundam horam postmeridian. At which time the Amendments and Proviso added by the Committees to the Bill for Confirmation of Letters Patents granted to the Mayor, &c. of the City of *Lincoln*, &c. were twice read.

The Proviso also added by the House of Commons to the Bill for Confirmation of the Joynture of *Christian Lady Sandes*, was read the third time, and thereupon the Bill was expedited.

Three Bills also had each of them one reading; of which the first being the Bill for the more speedy paying of the Queens Majesties debts, and for the better explanation of the Act made *Anno 13^o* of the Queen, intituled An Act to make the Lands, Tenements, Goods and Chattels of Tellors, Receivors, &c. liable to the pay-

ment of their Debts, was read *secundâ vice*.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem crastinum horâ nonâ.

On Tuesday the 7th day of February, Three Bills had each of them one reading; of which the last being the Bill against the Excess of Apparel, was upon the second reading committed unto the Earl Marshal, the Lord Admiral, the Earl of Northumberland and others.

Three Bills were brought up to the Lords from the House of Commons by Sir William Knolles, Sir John Fortescue and others; of which the second being the Bill against decaying of Towns and Houses of Husbandry was sent back with some Amendments, which were presently twice read.

The Bill that Lessees may enjoy their Leases against all Patentees their Heirs and Assigns, notwithstanding any default of payment of their Rent during the time that the Reversion or Inheritance remained in the Crown, was returned with some Amendments by the Lord Chief Justice, with a Proviso thought meet to be added. Which Proviso and Amendments were once read.

A Message was sent to the House of Commons from their Lordships by Mr Serjeant Drew and Mr Doctor Carew for a Conference concerning the Bill against excess of Apparel, with a competent number of the said House, and the time and place was desired to be this Afternoon by two of the Clock in the great Chamber of the Upper House of Parliament.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam secundam postmeridianam.

At which time the Amendments in the Bill against decaying of Towns and Houses of Husbandry were read *secundâ vice*.

The Amendments and Provisoes thought meet to be added to the Bill concerning Patentees were read the second time, and thereupon commandment was given, that the said Proviso should be ingrossed in Parchment, and the Amendments written in Paper ready for the third reading.

The Bill for Amendments of High-ways in the Counties of *Sussex, Surrey and Kent* was read *secundâ vice*.

The Bill for reviving, continuance, Explanation and perfecting of divers Statutes was returned with their allowance of the Amendments and Proviso added by their Lordships.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in diem crastinum.

On Wednesday the 8th day of February, the Amendments in the Bill against decaying of Towns and Houses of Husbandry were read the third time as they were ingrossed in the Bill; And thereupon the same Bill with the Amendments were expedited.

The Bill also for Amendments of High-ways in the Counties of *Sussex, Surrey and Kent*, was read *tertiâ vice* and expedited.

The Bill that Lessees may enjoy their Leases against all Patentees, &c. notwithstanding any default of payment of their Rents during the time that the Reversion or Inheritance remained in the Crown, was returned to the House of Commons by Doctor Carew and Doctor Stanhop for their considerations of the said Amendments and Provisoes.

No continuance of the Parliament is Entred in the Original Book of the Upper House, which seemeth to have happened by the Error of *Thomas Smith* Esquire, at this time Clerk of the same.

On Thursday the 9th day of February, Seven Bills were brought up to the Lords from the House of Commons; of which the first being the Bill for the further continuance and Explanation of an Act made in the thirty fifth year of the Queens Majesties Reign that now is, was returned with the allowance of the Amendments expedited.

And the second Bill for establishing a Jointure to *Anne Lady Wentworth*, now Wife of *William Pope* Esquire, and for the better enabling of the said *William Pope* to sell certain of his Lands for the payment of his Debts, was returned with some Amendments, which were presently thrice read, and the Bill was thereupon expedited, and five others of no great moment.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; in horam tertiam postmeridianam.

Her Majesty somewhat after the said hour of three this Afternoon came unto the Upper House, and being there sat with divers Lords Spiritual and Temporal, the Knights, Citizens and Burgeses of the House of Commons, with *Christopher Yelverton* Serjeant at Law their Speaker, having waited a good while at the said Upper House Door, were at length admitted into the said Upper House, viz. as many of them as could conveniently get in; And the said Speaker having made his three Reverences unto her Majesty spake in effect as followeth.

First he shewed the happines of a Commonwealth governed by Laws, by which Subjects are held in due obedience; which her Majesty observing, had now called a Parliament for the preservation of some Laws, amending of others, cutting off of unnecessary Statutes, and the making of new, never before Enacted; And that her Majesties Subjects in this Parliament, considering the strength of the Realm to consist in the strength of the Prince and Subjects, and their strength to stand first in the hands of God, and next in Provision of Treasure; And therefore (said he) your Majesties most humble, dutiful and obedient Subjects have by me their Mouth and Speaker presented here a free gift of their free and loving hearts (And so with that he kneeled down and delivered the Bill of Subsidy, which the Clerk of the Crown received, and laid it on a little Table standing before the Speaker,

Speaker, betwixt two great Wax-Candles on a plain Green Carpet) the which I hope and think was granted without a thought of No, sure I am without the word of a No.

The second part shewed a Commandment imposed on him by the House of Commons which was touching Monopolies or Patents of privilege, the which was a set and penned Speech made at a Committee. The third shewed a thankfulness of the House of Commons for the Pardon. The fourth and last contained the said Speaker's own Petition, that if any fault had been committed in the House, they might not be now again revived; And if either he had spoken too much or not so much as in duty he ought to have done, he besought her Majesties Pardon; And that as it had pleased her Majesty to grant Pardon to all her Loving Subjects, so that she would not exempt him alone, &c.

After which Speech ended the Queen called Sir Thomas Egerton Lord Keeper, to whom (kneeling down before her) she spake in private. And so after he went unto a place like a Desk, made even with the Cloth of Estate on the right side, and there made Answer to the Speakers Speech, which in effect was thus much.

OUR Most Dread Sovereign her Excellent Majesty hath given me in Charge to say unto you and the rest of her Loving Subjects, that she doth thankfully accept of their free gift of Subsidy granted by the Commons, which she would not have required, had not the puissance of the Enemy constrained her thereunto. Secondly touching the Monopolies, her Majesty hoped that her dutiful and loving Subjects would not take away her Prerogative, which is the chiefeft Flower in her Garden, and the principal and head Pearl in her Crown and Diadem; but that they will rather leave that to her disposition. And as her Majesty hath proceeded to tryal of them already, so she promiseth to continue that they shall all be examined to abide the tryal and true Touchstone of the Law. Thirdly, touching her Pardon, her Majesties Pleasure is that I shew unto you, that you do not so willingly accept it, as she giveth it, &c.

Fourthly for your Pardon (Mr Speaker) her Majesty saith, that you have so learnedly, and so eloquently defended your self now, and painfully behaved your self heretofore, as that your labour deserveth double her thanks: But in your Petition I must also join with you in beseeching her most Excellent Majesty, that if any thing through want of Experience, or through mine imperfections and ignorance have over-slipped me, it may be pardoned and remitted. And so the Lord Keeper ended his Speech.

Nota, That the severall and interlocutory

Speeches of the Speaker and of Sir Thomas Egerton Lord Keeper, &c. immediately foregoing, with the coming of the said Speaker and the rest of the House of Commons into the Upper House, are not found in the Original Journal-Book of the same House, but are here inserted out of a certain fragmentary Journal of the House of Commons.

After the before-recited Speeches were ended as abovesaid, then were the Titles of all the Acts read in their due Order.

After the passing the Acts, followed the Dissolution of the Parliament in these words, *viz.*

Dominus Custos magni Sigilli ex mandato Domine Regine tunc dissolvit præsens Parliamentum.

Nota, That although after these words *ex mandato Domine* sometime the word *præsentis* doth follow at the end of divers of these Journals during the Queens Reign, where the Dissolution of the Parliament is usually entred; yet elsewhere the said word *præsentis* is divers times omitted, as well as in this place, as being in it self superfluous, in respect that the aforesaid words *Ex mandato Domine Regine*, &c. do necessarily imply the Royal Prefence; for otherwise in her absence there could be no such Dissolution by her Highness Command only, without an expresse Commission or Letters Patents under the great Seal to that purpose: and howsoever the said words be here omitted, yet it is most certain, that her Majesty was both personally present at that time in the Upper House, and gave her Royal Assent also to such Laws as passed, as doth appear most plainly by that fragmentary Journal of the House of Commons taken by a Member of the same at this Parliament, as is before more particularly mentioned at the end of the Lord Keepers Speech delivered this very Afternoon in Answer to the Commons Speaker or Prolocutor.

Nota also, that whereas in the last Parliament in *an. 35 Regin. Eliz. Anno Domini 1592.* the Knights, Citizens and Burgeffes of the House of Commons had, not without long and great debate both with the Lords of the Upper House, and by themselves, at length yielded unto the grant of three intire Subsidies and six Fifteenths and Tenth, and had then also given with that Caution, that it might not hereafter be drawn into a Precedent for future times: yet now at this present Parliament *de an. 39, & 40 Regin. Eliz. A. D. 1597.* the same proportion, and in the Parliament ensuing, which was held in *an. 43 Regin. ejusdem Anno Dom. 1601.* (which was the last Parliament of her Majesties Reign) a greater, *viz.* of four Subsidies and eight Fifteenths and Tenth was again yielded unto: whence it is plain, that whatsoever is once granted by the Subject may often be raised, but seldom falleth.

T H E

JOURNAL

O F T H E

House of COMMONS.

A Journal of the House of Commons in the Parliament holden at Westminster, Anno 39 Reginae Eliz. Anno Domini 1597. which began there on Monday the 24th Day of October, and then and there continued until the Dissolution thereof, on Thursday the 9th Day of February Anno 40 Reginae ejusdem.

THIS present Journal of the House of Commons is not only abundantly stored with many and sundry Passages touching the Orders, Use and Privilege of the House itself; but containeth in it excellent matter touching the publick affairs of Church and State: in which also her Majesty was most graciously pleased to give the said House free Liberty to reform some abuses of the first, and to search into the dangers of the latter. And that this said Journal might be the more exact and copious, in some few places the defects thereof are supplied out of the Original Journal-Book of the Upper House, and out of a certain imperfect and fragmentary Journal of the House of Commons.

The ninth Parliament of our Sovereign Lady *Elizabeth*, by the Grace of God of *England, France and Ireland* Queen, Defender of the Faith, &c. begun at *Westminster* upon Monday being the 24th day of *October* in the thirty ninth year of her Majesties Reign. Upon which day many of the Knights of the Shires, Citizens of Cities, Burgeses of Boroughs and Barons of Ports did make their appearance at *Westminster*, being returned into the same Parliament for the same Shires, Cities, Boroughs and Ports, before the Right Honourable the Earl of *Nottingham*, Lord Steward of her Majesties most honourable Household: And did then and there in the Room commonly called the Court of Requests, take the

Oath of Supremacy, seven or eight at a time (being Enacted by and contained in the Statute *de an. 1 Reginae Eliz. Cap. 1.*) before the said Lord Steward, and before Sir *William Knolles* Knight Comptroller of her Majesties Household, Sir *John Fortescue* Chancellor of the Exchequer, and Sir *Robert Cecill* Principal Secretary, his Lordships Deputys. And thereupon the said Knights, Citizens, Burgeses and Barons entring into their own House, and expecting her Majesties further Pleasure, her Highness then being in her Royal Seat in the Higher House of Parliament, the said Commons were commanded to come before her Highness, and being there Assembled, the Right Honourable Sir *Thomas Egerton* Knight, Lord Keeper of the Great Seal of *England*, delivered unto the said Commons the Causes of her Majesties Calling of this Parliament; and so in the end willed them to repair again into the said House of Commons, and there to make choice of their Speaker according to the former laudable usage and custom of the same House in that Case accustomed; and willed them to present him unto her Majesty upon the *Thursday* next following. Which done, the said Commons presently repaired unto their own House, and there being Assembled and sitting some space of time very silent, at last the Right Honourable Sir *William Knolls* one of her Highness most Honourable Privy Council and Comptroller of her Majesties Household, stood up and spake to the effect following.

Necessity

Necessity constraineth me to break off this silence, and to give others cause for speech. According to the usual Custom we are to chuse our Speaker, and though I am least able and therefore unfit to speak in this place, yet better I deem it to discover my own Imperfections, than that her most sacred Majesties Commandment to me delivered should not be fulfilled, or your Expectation of this first days work by all our silences to be in any sort frustrate. First therefore I think it very expedient to remember the Excellent and Learned Speech of that good man my Lord Keeper, (at which all of us, or the most part of us at the least, were present) who very wisely shewed the Cause of calling this Honourable Assembly, shewing unto us that it is partly for the reforming those Laws which be amiss, partly quite to repeal others, partly to augment those that be good, and partly to Enact new Laws, both for the Honour and profit of her Majesty and for the benefit of the Commonwealth. And in conclusion wished us to depart from whence we came and there to chuse our Speaker, who ought to be the Mouth of us all, and to whom we might commit such weighty affairs as in this place should be debated amongst us. For unfit it is if we have occasion to go unto the Sacred presence of her Majesty, to go either confusedly without order, or unorderly without Judgment. Now because that knowledge doth rest in certainty, I will with the more speed set afoot this motion, deliver my opinion unto you, who is most fit for this place, being a member of this House, and those good abilities which I know to be in him (here he made a little pause, and the House hawked, and spat, and after silence made he proceeded) unto this place of dignity and calling in my opinion (here he stayed a little) Mr Serjeant *Telverton* (looking upon him) is the fittest man to be preferred (after which words Mr *Telverton* blushed, and put off his Hat and after fate bare-headed) for I am assured that he is yea, (and I dare avow it) I know him to be a man wise and learned, secret and circumspect, Religious and faithful, no way dis-able but every way able to supply this place. Wherefore in my Judgment I deem him (though I will not say, best worthy amongst us, yet) sufficient enough to supply this place; and herein if any man think I err, I wish him to deliver his mind as freely as I have done; if not, that we all join together in giving general consent and approbation to this motion.

So that the whole House cried I, I, I, let him be. And then Master Comptroller made a low reverence, and sat down; and after a little pause and silence, Mr Serjeant *Telverton* rose up, and after a very humble reverence made spake in effect thus much.

WHence your unexpected choice of me to be your Mouth or Speaker should proceed, I am utterly ignorant. If from my merits, strange it were that so few deserts should

purchase suddenly so great an Honour. Nor from my ability doth this your choice proceed; for well known it is to a great number in this place now assembled, that my Estate is nothing correspondent for the maintenance of this dignity: For my Father dying left me a younger Brother, and nothing to me but my bare Annuity. Then growing to mans estate and some small practice of the Law, I took a Wife by whom I have had many Children, the keeping of us all being a great impoverishing to my Estate, and the daily living of us all nothing but my daily Industry. Neither from my Person or Nature doth this choice arise; for he that supplieth this place ought to be a man bigg and comely, stately and well spoken, his voice great, his carriage Majestical, his Nature haughty and his Purse plentiful and heavy: but contrarily, the stature of my body is small, my self not so well spoken, my voice low, my carriage Lawyer-like and of the common fashion, my Nature soft and bathful, my Purse thin, light and never yet plentiful. Wherefore I now see the only cause of this choice is a gracious and favourable censure of your good and undeserved Opinions of me. But I most humbly beseech you recal this your sudden Election; And therefore because the more sudden, the sooner to be recalled. But if this cannot move your sudden choice, yet let this one thing perswade you, that my self not being gracious in the Eye of her Majesty, neither ever yet in account with any great Personages, shall deceive your expectation in those weighty matters and great affairs which should be committed unto me. For if *Demosthenes* being so learned and eloquent as he was, one whom none surpassed, trembled to speak before *Phocion* at *Athens*, how much more shall I being unlearned and unskillful, supply this place of dignity, charge and trouble to speak before so many *Phocions* as here be? yea, which is the greatest, before the unspeakable Majesty and Sacred Personage of our dread and dear Sovereign; The terror of whose countenance will appall and abase even the stoutest heart; yea whose very name will pull down the greatest courage. For how mightily doth the estate and name of a Prince deject the haughtiest Stomach even of their greatest Subjects? I beseech you therefore again and again to proceed unto a new Election, here being many better able, more sufficient and far more worthy than my self, both for the Honour of this Assembly and general good to the publick State.

Thus far out of the aforesaid fragmentary and imperfect Journal, the rest that follows is out of the Original Journal-Book it self.

After which Speech of Serjeant *Telverton's*, the Right Honourable Sir *John Fortescue* Knight, one other of her Highness said most Honourable Privy-Council and Chancellor of her Majesties Exchequer, stood up and affirming all the said former Speech of the said Mr Comptroller in the Commendation and good parts of the said Mr Serjeant *Telverton*; and inferring further that he

he the said M^r Chancellor had well perceived by the said M^r Serjeants own Speech, tending to the disabling of himself to the said place, that he was thereby so much the more sufficient and meet for the same. And so for his part likewise nominating the said M^r Serjeant *Telverton* to be their Speaker, moved the House further for their liking and resolution therein, who all with one accord and consent yielded unto the said Election. Whereupon the said M^r Comptroller and M^r Chancellor did rise up and place the said M^r Serjeant *Telverton* in the Chair. Which done, the said M^r Serjeant after some small pause stood up, and giving unto the whole House most hearty thanks for their good opinions and conceit of him, signified unto them nevertheless, that by their good favours he would endeavour when he should come before her Majesty, to be an humble Suitor unto her Highness to be discharged of the said place, if he so could. And immediately the House did rise, and were to meet there again upon the *Thursday* next following.

On *Thursday* the 27th day of *October*, the House being set, and before M^r Speaker went up to her Majesty in the Upper House, M^r Chancellor of the Exchequer moved and admonished that none of this House should after this present day enter into the same House with their Spurs on, for offending of others, and withal that none do come into this House before they have paid the Serjeants Fees of this House due unto him according to the accustomed usage of this House in that case.

M^r Speaker with the greatest number of the Members of this House after their abiding along time silent, and attending her Majesties Pleasure, from the Upper House to be sent for thither, did go out of this House towards the said Upper House, there to be the more near and ready to come before her Highness in the said Upper House, at such time as her Majesty should please to send for them. And afterwards being admitted, and the said Speaker presented and allowed by her Majesty according to the usual form in that case accustomed, and returning back again from the said Upper House, attended by the Serjeant of this House, bearing the Mace before him, upon his aforesaid allowance in the Upper House in the said place of Prolocutor he took his place in the Chair, and being there set signified unto the House, that whereas in former times the Order was to have a Bill read before the House did rise, the same could not be so done at this time, because her Majesty had in the Upper House Adjourned this Parliament till *Saturday* next come seven-night, being the 5th of *November* next coming, at eight of the Clock in the Forenoon of the same day, till which time he and all the Members of this House might depart and take their ease. And so then every man went his way.

Nota, That this was a mistake of M^r Serjeant *Telverton* now Speaker of the House of Commons, for the Adjournment in the Upper House did not nor could not hinder the reading of a Bill

in the House of Commons, upon the allowance of their Speaker in the said Upper House, and their return from it, according to the antient use and custom, although the Adjournment of the Parliament by her Majesty being present in the said House is for the most part accounted an Adjournment of both the Houses. To make which truth more clear, there shall need no other Precedent to be cited than that in the last Parliament *de An. 35 Regis. Eliz.* where *Edward Cooke* Esquire the Queens Solicitor being chosen Speaker of the beforementioned Commons House was presented unto her Majesty upon *Thursday* the 22th day of *February*, and the words there were, *Dominus Custos magni Sigilli ex mandato Domine Regine continuavit præsens Parliamentum, &c.* to the next *Saturday* following; (by which very words the Parliament was also continued at this time unto the *Saturday* seven-night after.) And then upon the return of the said M^r *Cooke* their Speaker to the House of Commons in the said thirty fifth year of her Majesty, an ordinary Bill touching the pleading of a Bar at large in an *Ejectione firme*, had its first reading; although after the reading he there declared, that it was her Majesties pleasure that the said House should be Adjourned and not meet again until the said *Saturday*, on which the Upper House met again also. And therefore it is plain, that M^r Serjeant *Telverton* did at this time not only commit a great error in omitting to read some one Bill or other according to the usual Custom, but was also much mistaken in informing the House that it had been Adjourned and so now stood Adjourned by those words which the Lord Keeper had spoken in the Upper House; for his Lordship at this time, as appears plainly by the Original Journal-Book of that House, did only continue the Parliament and not Adjourn it; which words although spoken by the Queens Commandment being personally present, do only concern the said Upper House, and reach not at all unto the House of Commons, as was directly declared by the Lord Keeper himself in the next Parliament ensuing, in *An. 43 Regis. Eliz.* after that M^r *John Croke*, M^r Recorder of *London*, their Speaker, upon his allowance in and return from the said Upper House, on *Friday* the 30th day of *October* in *An. eodem*, had by a like mistake misinformed the House that it was Adjourned, and so caused it to rise without the reading of any Bill.

And therefore here once for all I have caused the true differences as I conceive in this kind to be here inserted, *viz.* If the Lord Keeper by the Queens Commandment being personally present, had either prolonged or Adjourned the Parliament, or that her Majesty with her own Mouth had pronounced the said words, or had caused the same to have been done by a Commission under the Great Seal in her absence; in all these Cases it had reached alike both unto the Upper House, and unto the House of Commons.

But if the Queens Majesty had with her own Mouth continued the Parliament, as she did here command

command the Lord Keeper to do it; yet this had only concerned the Upper House, so that the Lords could not have met again until the day to which the said Parliament had been continued; but the said House of Commons, whom the said continuance concerned not, might have met each day without intermission, and have agitated such businesses, and have given reading to such Bills, as offered themselves.

And lastly, If the Lord Keeper or Lord Chancellor for the time being do at any time Adjourn or continue the Parliament to a further day, as of course he doth one of them for longer or shorter time, every day the Upper House riseth, and that he doth it not by Command or Commission from the Sovereign for the time being, but do it of course as is aforesaid, this concerns only the Upper House, and the House of Commons are neither bound to take notice of it nor to surcease any of their daily Proceedings upon it.

On Saturday the 5th day of November the House met about eight of the Clock in the Morning, having through a meer mistake and error of the Speaker and themselves conceived their House to have been Adjourned by the Lord Keeper, the first day of the Parliament, unto this present Saturday, as is more largely declared in *sine diei præcedentis*.

Nota also, that some part of the Passages of this present Saturday following are transcribed out of the before-recited fragmentary and imperfect Journal.

M^r Speaker this Morning, according to the usual course, brought in a Prayer to be used in the House during this Parliament, which was as followeth.

O Eternal God, Lord of Heaven and Earth, the great and mighty Councillor, We thy poor Servants Assembled before thee in this Honourable Senate, humbly acknowledge our great and manifold sins and imperfections, and thereby our unworthiness to receive any grace and assistance from thee; Yet most merciful Father since by thy providence we are called from all parts of the Land to this famous Council of Parliament to advise of those things which concern thy Glory, the good of thy Church, the prosperity of our Prince, and the Weal of her people, we most intirely beseech thee, that pardoning all our sins in the Blood of thy Son Jesus Christ, it would please thee by the brightness of thy Spirit to expel darkness and vanity from our minds, and partiality from our Speeches; and grant unto us such wisdom and integrity of heart as becometh the Servants of Jesus Christ, the Subjects of a gracious Prince, and Members of this Honourable House. Let not us, O Lord, who are met together for the publick good of the whole Land, be more careless and remiss than we use to be in our own private Causes. Give Grace (we beseech thee) that every one of us may labour to shew a good Conscience to thy Majesty, a good Zeal to thy word, and a loyal heart to our Prince, and a Christian Love to our Country and

Common-Wealth. O Lord, so unite and conjoin the hearts of her Excellent Majesty and this whole Assembly, as they may be a threefold Cord not easily broken, giving strength to such godly Laws as be already Enacted, that they may be the better Executed, and Enacting such as are further requisite for the bridling of the wicked and the encouragement unto the godly and well affected Subjects: That so thy great blessing may be continued towards us, and thy grievous Judgments turned from us. And that only for Christ Jesus sake, our most glorious and only Mediator and Advocate, to whom with thy blessed Majesty and the Holy Ghost be given all Honour and Praise, Power and Dominion from this time forth for evermore. Amen.

M^r Francis Bacon spake first, after that one Bill mentioned in the Original Journal-Book of the House of Commons had been read the first time, viz. the Bill against Foresters, Regrators and Ingrossers, and made a Motion against Inclosures and Depopulation of Towns and Houses of Husbandry and Tillage. And to this purpose he brought in, as he termed it, two Bills not drawn with a polished pen, but with a polished heart, free from affection and affectation. And because former Laws are Medicines of our understanding, he said, that he had perused the Preambles of former Statutes, and by them did see the inconveniencies of this matter, being then scarce out of the shell, to be now full ripened. And he said, that the over-flowing of the people here, makes a shrinking and abate elsewhere; And that these two mischiefs, though they be exceeding great, yet they seem the less, because *Qui mala cum multis patimur, leviora videntur*. And though it may be thought ill and very prejudicial to Lords that have inclosed great grounds, and pulled down even whole Towns, and converted them to Sheep-Pastures; yet considering the increase of people and the benefit of the Common-Wealth, I doubt not but every man will deem the revival of former Moth-eaten Laws in this point a praise-worthy thing. For in matters of Policy ill is not to be thought ill, which bringeth forth good. For Inclosure of grounds brings depopulation, which brings first Idleness, secondly decay of Tillage, thirdly subversion of Houses, and decay of Charity, and charges to the Poor, fourthly impoverishing the state of the Realm. A Law for the taking away of such inconveniences is not to be thought ill or hurtful unto the general State. And I would be sorry to see within this Kingdom, that piece of Ovids Verse prove true, *jam seges ubi Troja fuit*, so in England, instead of a whole Town full of people, nought but green Fields, but a Shepherd and a Dog. The Eye of Experience is the sure Eye, but the Eye of Wisdom is the quick-sighted Eye; and by Experience we daily see, *Nemo putat illud videri turpe, quod sibi sit questuosum*. And therefore there is almost no Conscience made in destroying the favour of the life, Bread I mean, for *Panis sapor vitæ*. And therefore

fore a strict and rigorous Law had need to be made against those Viperous natures who fulfil the Proverb, *Si non posse quod vult, velle tamen quod potest*; which if it be made by us, and life given unto it by Execution in our several Counties, no doubt but they will prove Laws tending to Gods Honour, the renown of her Majesty, the fame of this Parliament, and the everlasting good of this Kingdom. And therefore I think them worthy to be read and received.

Thus far out of the aforesaid fragmentary and imperfect Journal: that which follows is out of the Original Journal-Book it self.

In the end of which said Speech, as it should seem, the said Mr Bacon did move the House that a Committee might be appointed to consider of the said matter touching Inclosures.

Which done, Sir John Fortescue Chancellor of the Exchequer in like manner shewed his opinion in this Case, much answerable to the said Speech of the said Mr Bacon; and so moving for a Committee to that end, the House did nominate all the Privy Council being Members of this House, all the Knights of the Counties and all the Citizens of the Cities returned into this present Parliament, Sir Edward Hobby, Mr Francis Bacon, Mr Nathaniel Bacon, Sir William Moore, Mr Solicitor, Mr Finch and divers others, who were appointed to meet in the Exchequer Chamber at two of the Clock in the Afternoon of this present day.

Mr Finch shewing sundry great and horrible abuses of idle and vagrant Persons greatly offensive both to God and the world; And further shewing the extream and miserable estate of the Godly and honest sort of the poor Subjects of this Realm, moved for a Committee of this House to be selected for consideration to be had for redress thereof. Whereupon the same was referred to the former Committees in the Bill touching Inclosures and converting of Tillage into Pasture.

Mr Speaker putteth the House in remembrance for a Committee to be nominated to deal and travel in the examination of such Causes as shall occur in this House touching Privilege and Returns during this present Sessions of Parliament, and from time to time to make Report to this House of their travel and proceedings therein, as occasion shall serve. Whereupon were nominated all the Privy Council being Members of the House, Sir William Moore, Mr Recorder of London, Sir Thomas Knivet, Mr Attorney of the Dutchy, Mr Attorney of the Court of Wards, Mr Doctor Heyward Master of the Requests, Mr Luke, Mr Edward Lukenour, Mr William Cecill, Mr Robert Wroth, Sir William Eyre, Sir Francis Hastings, Mr Miles Sandes, Mr Michael Stanhop, Mr Francis Bacon, Sir Edward Hobbie, Mr Solicitor, Mr Tasbrough, Mr Conisby, Mr George Moore, Sir Edward Hastings, Mr Finch, Mr Crew, Mr Peak, Mr Serjeant Hayle, Mr Lyel, Mr Jeram Horsey, Mr Hubbard, Mr Amerfam, Mr Edward Boer, Mr Litten, Mr Nathaniel Bacon, Mr Angeire, Mr Combes and Mr Robert Knolls, who were appointed to meet upon Monday next at two of

the Clock in the Afternoon in the Star-Chamber.

Sir Thomas Knivet, being a Member of this House returned one of the Citizens of the City of Westminster shewed unto this House, that being a Member of this House, he was since the beginning of this Parliament served with a *Subpœna* to appear in the Chancery, which he taketh to be done to the infringing of the priviledge and liberties of this House. Wherein praying the consideration of this House in that behalf, he is referred to attend the Committees formerly nominated at the said time and place, before appointed. *Vide November 9.*

The Bill for taking away of Clergy from Offenders against a Statute made in 3 Hen. 7. concerning the taking away of Women against their wills unlawfully, was read the first time.

On Monday the 7th day of November, Four Bills of no great moment had each of them one reading: of which the last being the Bill against Forestallers, Regrators and Ingrossers was upon the second reading committed unto Mr Chancellor of the Exchequer, Mr Francis Bacon, the Citizens for London, York, Coventry, Bristol and Gloucester, Mr Nathaniel Bacon and others, who were appointed to meet upon Wednesday next in the Exchequer Chamber at two of the Clock in the Afternoon; and the Bill and Committees names were delivered upon Tuesday next following to Mr Chancellor of the Exchequer one of the Committees.

The Bill for taking away of Clergy from Offenders against a Statute made in the third year of H. 7th concerning the taking away of Women against their wills unlawfully, was upon the second reading committed unto Mr Solicitor, Mr Peutridge, Mr Recorder of London, Mr Bayes, Mr. Finch, Mr. Bourcher and Mr. Duport, to go presently together into the Committee Chamber of this House; who taking the Bill with them and returning again very soon after, they had inserted into the Bill these words, *viz.* [hereafter to be committed.] Which words being read unto the House, and not well liked of, were stricken out, and these words were set down therein by the consent of the House, *viz.* [to be committed after the end of this present Session of Parliament] and were then twice read. And so the Bill upon the question was Ordered to be ingrossed.

On Tuesday the 8th day of Nov. Two Bills of no great moment had each of them one reading; of which the second being the Bill touching the transporting of Sheep-Skins and Pelts, was read the first time.

Mr. George Moore shewed the great and burthenfome charge of the Subjects of this Realm, being compelled upon great penalties with the keeping and having of sundry sorts of Armour and Weapons which are altogether unprofitable for any use or service, and are charged nevertheless with the finding and providing of such other Armour and Weapons besides from time

to time, as the Captains which were appointed to take charge, upon any occasion of service will call for and appoint at their own pleasure. And so for redress thereof, and for some certainty to be set down by Law touching the having and keeping of such Armour and Weapons, moved that a selected number of this House may be appointed to have Conference and consideration about the same. Whereupon were named for that purpose Mr. Comptroller, Sir George Carey, Sir George Gifford, Sir Thomas Conisby, Sir Thomas Cecill, Sir Henry Bromley, Sir Francis Hastings, Sir Edward Hastings, Mr. Thomas Knivet, Mr. George Moore, Sir Edward Hobby, Sir William Brereton, Mr. Leonard, Sir John Stacy, Sir Henry Norris, Mr. Francis Bacon, Sir Edmund Carey, Sir William Moore, Mr. Recorder, Mr. Francis Moore, Mr. Edmond Boyer, Sir Richard Knightley, Sir Gervase Clifton, the Knights for all Shires, Sir Anthony Cope, all Deputy Lieutenants of Shires being Members of this House, Sir Henry Bamfield, Mr. Oglethorp, Mr. Miles Sandes, Mr. Warwick Heyle, Sir Henry Nevill, Mr. Francis Foscoe, Sir William Woolgrave, Sir William Aire, Sir Henry Gawdie, Sir Robert Southwell, Mr. Lieutenant of the Tower, Mr. Henry Finch, Mr. Bouchier, Mr. Boyes, Mr. Attorney of the Dutchy, Mr. Attorney of the Wards, Mr. John Boyer, Mr. Edward Lewkenor, Mr. Robert Sackville, Mr. Tasbrough, Mr. Francis Goodwyn, Mr. Angier, Mr. Emersam, Mr. John Lees and Mr. Adrian Gilbert, and appointed to meet in this House upon Saturday next at two of the Clock in the Afternoon; and the Committees names were delivered to Mr. Comptroller.

Two Bills had each of them one reading; of which the second being the Bill for the due performance of the last Will and Testament of George Durant, was upon the second reading committed unto Sir Edward Hobbie, Mr. Francis Bacon, Mr. Francis Moore, Mr. Wimarke, Sir Robert Wingfeild, Mr. John Wingfeild, Mr. Oglethorpe, Sir Thomas Cecill and Mr. James Harrington, who were appointed to meet to Morrow in the Afternoon in the Exchequer Court at two of the Clock; and the Bill was delivered to Sir Thomas Cecill one of the said Committees.

Sir Francis Hastings moved for the abridging and reforming the excessive number of superfluous and burthensom penal Laws. Which Motion being seconded by Mr. Francis Bacon and others, the consideration of the managing thereof was committed unto all the Privy-Council being Members of this House, all the Serjeants at Law being likewise Members of this House, all the Lawyers of this House, Mr. Miles Sandes, Mr. Tasbrough, Mr. George Moore, Mr. Lewkenor, Mr. Nathaniel Bacon, Mr. George Rotheram, Mr. Stephenson, Mr. Conisbie, Mr. Dykes, Mr. Crompton and others, and all the Knights for the Counties and for the City of London returned into this House, Sir William Moore, Sir Edward Hobbie, Mr. Heyle, Sir Thomas Hobbie and Mr. Hubbard, who were appointed to meet in this House upon Thursday next at two of the Clock in the Afternoon.

Mr. Brograve Attorney of the Dutchy, one of the Committees for the Examination of matters of privilege and of Returns, (whose names see on Saturday the 5th day of this instant November foregoing) shewed, that he and fundry others of the Committees had met together about those busineses, according to the charge of this House in that behalf imposed upon them; and that the other Committees did appoint him to make report unto this House of their travels in this said business: And shewed, that as concerning the Liberties and Priviledges of the Members of this House, they are of opinion, that the serving of the Subpœna upon Mr. Thomas Knivet, one of the Members of this House, signified by himself unto this House on Saturday immediately foregoing, is a manifest contempt committed against this whole House, to the apparent prejudice of the Liberties and Priviledges of this House, as by some Precedents under the Clerk of this House his hand, in like former Cases accustomed, and shewed further unto the said Committees, it did appear; in that by reason of such Process served upon any Member of this House, the same Member so served with such Process must needs of force be withdrawn from his Service in this House, both in his mind and in his person, by the meer necessity of following his own private business occasioned by the said Process so served upon him: And therefore do resolve, that the said Mr. Thomas Knivet ought to be freed from the serving of the said Subpœna. And because the said Mr. Knivet affirmed unto the said Committees, that the Parties that served the said Subpœna upon him did execute the same in very dutiful and lowly manner; and that also the said party being examined by the said Committees did affirm and protest unto them, that he did not know the said Mr. Knivet to be a Member of this House, when he served him with the said Subpœna, the Committees were of Opinion to have the said party remitted without any further punishment to be inflicted upon him for the same, if this House should so think good, and else not. And where one Precedent in Quinto of Queen Mary was shewed unto the said Committees, whereby it appeared that a Member of this place at that time being served with a Subpœna out of the Chancery in Parliament time, was upon Declaration thereof made unto this House allowed to have the benefit and privilege of this House; and for the due accomplishment thereof, this House did then send two Members of the same to the then Lord Chancellor of England, requiring his Lordship in the name of this whole House to revoke the said Subpœna, as by the same Precedent may appear; he shewed that the resolution of the said Committees in this Case, for the said Mr. Knivet, is, that in like manner two of the Members of this House may be sent by the Order of this House in the name of the whole House, to the now Lord Keeper, to require his Lordship to revoke the said Subpœna served upon the said Mr. Knivet, if this House shall so think

good. And further, as concerning Returns, that he and the residue of the Committees had seen the Return of the Sheriff of the County of *Dorset* for the electing into this Parliament the Burgesses of the Borough of *Weymouth* and *Melcomb Regis*, heretofore two distinct Boroughs, but of late years united and incorporated into one by her Majesties Letters Patents, with ability and privilege nevertheless to elect four Burgesses into the Parliament as in former times they had used to do, when they were distinct Boroughs. And that the Mayor, Bayliffs, Commonalty and Burgesses of *Weymouth* and *Melcomb Regis* had upon the Sheriffs Precept directed unto them elected four Burgesses, and returned them under the Seal of their Corporation, and that the Bayliffs have elected two others besides, which four Burgesses are certified into this House from the Clerk of the Crown, and are sworn into the same House accordingly; but the said other two Burgesses are neither certified nor sworn into this House, neither elected by Precept from the said Sheriffs for any thing the said Committees could perceive. And that therefore their Opinion was, that the said four Burgesses so as aforesaid duly and orderly elected and returned, should still continue Members of this House, and not the other two so indirectly returned, if it shall be so thought good unto this House; for that the said two Burgesses, if they find themselves aggrieved or injured in the said Election, may take their remedy against the Sheriffs. All which being recited unto the House by Mr. Speaker, it was Ordered thereupon, that Sir *Edward Hobby*, and the said Mr. Attorney of the Dutchy should be sent by this House unto the said Lord Keeper with the said Message touching the said *Subpœna*, and the party that served the same *Subpœna* should be discharged, and the said four Burgesses for *Weymouth* and *Melcomb Regis* continued accordingly.

Mr. *Wingfield* reneweth in some parts a Motion of Mr. *Francis Moore* delivered yesterday in this House touching sundry enormities growing by Patents of Privilege and Monopolies, and the abuses of them, together with some Speeches therein then had by Mr. Secretary; and Mr. Solicitor making some reply, Mr. *Nathaniel Bacon* seconded the said Mr. *Wingfield*: which done, Sir *Francis Hastings* moved for a Committee to take particular Informations of the abuses of the said Patents of privilege, the better to be instructed in the courses of the same, for the more ready preparation to further means for redress to be had therein; but it was then no further proceeded in by reason the day was far spent. *Vide* concerning this business on *Wednesday* the 9th day, *Thursday* the 10th day, and *Wednesday* the 16th day of this instant *November* ensuing, as also on *Wednesday* the 14th day of *December* following, where it was agitated by the House, but nothing concluded in it; only the Speaker moving her Majesty about it the last day of this Parliament, she promised Reformation therein.

On *Wednesday* the 9th day of *November*, Two Bills had each of them one reading; of which the second being the Bill to suppress multitude of Maulsters, was upon the second reading committed unto Sir *Robert Wroth*, Mr. *Hubberd*, the Burgesses of *York*, *Hull*, *Worcester* and *Gloucester*, and Mr. *Nathaniel Bacon* and others, and the Bill was delivered to Sir *Robert Wroth*, who with the rest was appointed to meet at two of the Clock in the *Middle-Temple Hall*. *Vide Jan. 12.*

Two Bills of no great moment had each of them one reading; of which the second being the Bill for Amendment of Weavers and Spinners Wages was read the first time.

Sir *Edward Hobbie* shewed, that himself and Mr. *Brograve* Attorney of the Dutchy, have according to the direction of this House unto them, been with the Lord Keeper of the Great Seal, and in the name of this whole House did require his Lordship to revoke two Writs of *Subpœna* which were served upon Mr. *Thomas Knivett* a Member of this House since the beginning of this Sessions of Parliament; and that his Lordship thereupon demanded of them whether they were appointed by any advised consideration of this House to deliver their Message unto him with the word *Require* in such manner as they had done or no; and that they Answered his Lordship, Yea. And that his Lordship then said, that as he thought very reverently and honourably of this House, and of the Liberties and Privileges of the same, so to revoke the said *Subpœna* in that sort, was to restrain her Majesty in her greatest Power, which is Justice, in the place wherein he serveth under her: And that he said he would be further advised before his giving Answer to this House, as the House was advised to send unto him the said Message. *Vide* concerning this business on *Saturday* the 5th day, and on *Thursday* the 8th day of this instant *November* foregoing. But what further proceeding ensued touching the serving of the said *Subpœna* is not found in the Original Journal-Book of the House of Commons; but it's likely the Lord Keeper did further satisfy the House.

After this Report made, the House (but upon what occasion is not set down) began to name Committees touching Monopolies and Patents of privilege; of which Sir *John Fortescue* Chancellor of the Exchequer, Mr. *Barker*, Mr. *Lawrence Hide*, and some nine others being appointed, Mr. Secretary *Cecill* moved the House, that the day being now far spent and the business in agitation of great weight, the nominating of the said Committees might be deferred till the day following, and that then also it might be discussed and set down touching what matters the said Committee should treat. Whereupon upon the Question it was deferred accordingly. *Vide plus* concerning this matter on *Tuesday* the 8th day of this instant *November* foregoing.

On *Thursday* the 10th day of *November*, the Bill for the establishing of the Town Lands of
Wanting

Wanting in the County of *Berks* to the relief of the Poor, amendments of High-ways, and maintaining of a School-Master within the Town of *Wanting* aforesaid, was upon the second reading committed unto Mr. Comptroller, the Knights for the County of *Berks*, Mr. *Henry Nevill*, Sir *Humphrey Foster*, Mr. *Sollicitor*, Mr. *Francis Moore*, Mr. *Oglethorpe*, Mr. *Lawrence Hide*, Mr. *Littell*, Mr. *Tasbrough*, and Mr. *Oldsworth*; and the Bill was delivered unto Mr. *Francis Moore*, who with the rest was appointed to meet upon *Saturday* next at two of the Clock this Afternoon in this House.

Three Bills also of no great moment had each of them one reading; of which the last being the Bill for re-edifying the Town of *Langford Eftover* in the County of *Somerset*, was upon the second reading committed unto the Knights for the County of *Somerset*, Sir *Francis Hastings* and others; and the Bill was delivered to Sir *Francis Hastings*, who with the rest was appointed to meet upon *Monday* next at two of the Clock in the Afternoon in the *Middle-Temple Hall*.

The Bill for taking away Clergy from certain Offenders, was sent up to the Lords by Mr. Comptroller, Mr. Chancellor and others; in the mean time whereof, and before they were gone into the Upper House, they met Mr. Doctor *Stanhope* by the way with a Message to this House, and so returned back to this House till the said Message was delivered by the said Mr. Doctor *Stanhope*, who coming from the Lords said he had a private Message from their Lordships to Mr. Speaker, and so speaking unto the Speaker and departing, again, Mr. Speaker did thereupon tell this House, that the Lord Keeper did send privately unto him from the Lords to know whether this House had expedited any Bill to send unto their Lordships.

The Bill for Amendment of Weavers and Spinners Wages was read the second time, and upon the question committed unto Mr. Chancellor of the Exchequer, Sir *William Moore*, Mr. *Martin*, the Burgesses of *Nottingham* and *Derby*, Mr. *Nathaniel Bacon* and others; and the Bill with a Note of the Committees names was delivered to Sir *William Moore*, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon at the *Guild-Hall*.

Mr. *Walgrave* moved touching the abuses of Licences for Marriages granted by Ecclesiastical persons, and prayeth consideration may be had for reformation thereof by this House.

Mr. *Davies* reneweth the motion touching Monopolies and the abuses of Patents of Priviledge. Whereupon after sundry other Speeches of other Members of this House, some of them tending to urge the nomination of Committees in regard it was Yesterday Ordered upon the question that there should be a Committee for that purpose, these Committees following were nominated, all the Privy Council being Members of this House, Sir *Francis Hastings*, Sir *Edward*

Hastings, Sir *Henry Bromley*, Mr. *Foulke Grevil*, Sir *William Cornwallis*, all the Knights of all Shires, Mr. *Francis Moore*, Mr. *Oldsworth*, Mr. *Lawrence Hide*, the Burgesses of *Rocheſter*, Mr. *Robert Wingfield*, Sir *Robert Wroth*, Mr. *Francis Bacon*, Mr. *Henry Tolverton*, the Burgesses of all Port Towns, Sir *Thomas Egerton*, Mr. *Nathaniel Bacon*, Mr. *Henry Nevil*, Mr. *John Bowyer*, Sir *William Moore*, the Knights and Citizens for *London*, the Citizens for *York*, Mr. *Tasbrough*, Mr. *Jerom Horsey*, Mr. *Davies*, Mr. *Hubberd*, Mr. *Doctor Crompton*, Mr. *Finch*, Mr. *Edmund Boyer*, Mr. *Hext*, Mr. *Jackman*, Mr. *Hicks*, Mr. *John Harper*, Mr. *Angier*, Sir *William Howard*, Sir *John Lewſon*, Mr. *Bourcher*, Mr. *Pembridge*, Mr. *Henry Lewſey*, Mr. *Conisbie*, Mr. *Jackſon*, Mr. *Portington*, Burgesses of *Derbie*, who were appointed to meet upon *Tuesday* next in this House at two of the Clock in the Afternoon. *Vide* concerning this buſineſs on *Tuesday* the 8th day of this instant *November* foregoing.

On *Friday* the 11th day of *November*, Four Bills of no great moment had each of them one reading; of which the first was the Bill concerning the Hospital of *Warwick*.

Mr. *Robert Wingfield*, Mr. *Doctor James* and Mr. *Simmell* do ſhew ſundry great abuſes by Licences for Marriages without Banes, granted by Registers and other inferiour Officers: Whereupon Sir *Thomas Cecill* moved for a Committee for drawing of a Bill for Reformation thereof. Whereupon were nominated Sir *Thomas Cecill*, Mr. *Simmell*, Mr. *Finch*, Mr. *Doctor James*, Mr. *Nathaniel Bacon*, Mr. *Robert Wingfield* and others, who were appointed to meet to Morrow at two of the Clock in the Afternoon in *Graves-Inn*.

Mr. *Hext* moved touching the abuſes of Probates of Wills.

Sir *Francis Hastings* ſhewed, that the Committees in the motion touching Incloſures and Tillage, and in the motion touching the puniſhment of Rogues and relief of the Poor (who were appointed on *Saturday* the 5th day of this instant *November* foregoing) had ſpent all their travel hitherto only about the ſaid Incloſures and Tillage, and nothing about the ſaid Rogues and Poor, and ſignifying that ſome Members of this Houſe have travelled for framing of two or three Bills for that purpoſe of Rogues and Poor, moved that thoſe Bills might be received into the Houſe to be further conſidered of; and ſo it was thereupon yielded unto by the Houſe accordingly.

Sir *Edward Hobbie* moved for a Committee for continuance of Statutes. Whereupon were nominated Mr. Attorney of the *Dutchy*, and Mr. Attorney of the Court of Wards, Sir *Robert Wroth*, Mr. *Sollicitor*, Sir *Edward Hobbie*, Mr. *Francis Moore*, Mr. *Bourcher*, Mr. *Francis Bacon*, all the Serjeants at Law being of this Houſe, Sir *William Moore* and others, and a Note of the Committees names delivered to Sir *Robert Wroth*, who with the reſt was appointed to meet upon

Thursday next at the *Inner-Temple Hall* at two of the Clock in the Afternoon.

On *Saturday* the 12th day of *November*, Four Bills of no great moment had each of them one reading; of which the last being the Bill for the repeal of the Statute of the twenty third of the *Queens Majesty*, Intituled, An Act for the encrease of Mariners and maintenance of the Navigation, was upon the second reading committed unto all the Burgesses of the Port Towns, all the Citizens for *London, York, Hull* and *Norwich*, the Burgesses of *Caernarvon*, Mr. *Miles Sandes* and others; and the Bill was delivered to the said Mr. *Sandes*, who with the rest was appointed to meet on *Monday* next at two of the Clock in the Afternoon in the *Middle-Temple Hall*.

Mr. *George Moore*, one of the Committees for privileges and Returns (whose names see before on *Saturday* the 5th day of this instant *November*) shewed the differences for the Returns of *Ludlow*, before the Committees, which grew from the Sheriffs directing of his Precept to the Bayliff of the Borough of *Ludlow* in the singular number, whereas it should have been to the Bayliffs thereof in the plural; and thereupon the House was divided, whether the Sheriff who might through hast or want of Experience run into that Error, ought to be punished, or the Town of *Ludlow*, which had, as might well be concluded, wilfully made use of that his Error. Mr. *Francis Moore*, Mr. *Nathaniel Bacon*, Mr. *Edward Lewkenor* and others urging, that the Town ought to be amerced; and Mr. *Bourchier*, Mr. Recorder of *London*, Mr. *Pelham*, and others urging, that the Sheriff ought to be amerced: It was upon the Question referred to the former Committees, and if it cannot be divided by them, then they are to learn the Opinion of some of the Judges.

The Bill against the Counterfeiting of the Hands of the Lords was read the second time, and upon the Question was committed unto all the Privy-Council being Members of this House, all the Serjeants at Law which are of this House, Mr. *Brograve* Attorney of the Dutchy, Sir *Tho. Hobbie* and others, who were appointed to meet upon *Monday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

The Bill for the better Answering of her Majesties Tenths and Subsidies from the Clergy was upon the second reading committed to Mr. Chancellor of the Exchequer, Mr. Solicitor, Mr. Recorder, Mr. *Nathaniel Bacon*, Mr. *Wingfield*, Sir *Edward Hobbie* and others, who were appointed to meet on *Wednesday* at two of the Clock in the Afternoon in the Exchequer Chamber; and the Bill was delivered to Mr. Solicitor.

Sir *Robert Wroth*, one of the Committees in the Bill to suppress the multitude of Maulsters, (who had been appointed on *Wednesday* the 9th day of this instant *November* foregoing) shewed that the Committees have met and have travailed therein, and thought good to draw a new Bill; and so brought in both the old Bill, and also the new Bill.

On *Monday* the 14th day of *November*, Mr. *Lawrence Hide*, one of the Committees in the Bill concerning the Town of *Wanting* (whose names see on *Thursday* the 10th day of this instant *November* foregoing) shewed the meeting of the said Committees and some Amendments made by them in some parts of the said Bill; which Amendments being twice read unto the House, the Bill was upon the question Ordered to be ingrossed.

Mr. *George Moore*, one of the Committees in the Motion touching Armour and Weapons, who were appointed on *Tuesday* the 8th day of this instant *November* foregoing, shewed their meeting upon *Saturday* last, and required to have a new day of meeting, and that some of the Lawyers which are of this House being in this Committee may then attend in the same. Whereupon day was given to meet again in this House upon *Wednesday* next at two of the Clock in the Afternoon; and the Committees names being then read by the Clerk, Mr. Serjeant *Williams*, Serjeant *Harris* and Serjeant *Heyle* were added unto them.

Mr. *Sinnell*, one of the Committees in the Committee touching the abuses for Licences for Mariages without Banes (appointed on *Friday* the 11. day of this instant *November* foregoing) shewed, that the Committees have met together, but did not conclude of any thing, by reason that it was doubtful whether they were to treat of that matter only, or else both of the same, and also touching the stealing away of Mens Children without assent of their Parents, and touching the abuses in the Probates of Testaments and Processes *ex Officio* by Ecclesiastical Officers in matters of the same, being before several propounded at the Motion of sundry Members of this House.

Sir *John Fortescue* Chancellor of the Exchequer shewed, that her Majesty did yesterday last call Mr. Secretary and himself unto her, and telling them that her Highness had been informed of the horrible and great incestuous Mariages discovered in this House, and minding due punishment and redress of the same, commanded them to take information of the grievances in particular of the Members of this House, that her Highness having certain notice thereof, may thereupon give order for the due punishment and redress accordingly. Whereupon after sundry other Speeches tending to sundry courses, but yet most of them very well liking and approving the said Message delivered to this House therein from her Majesty by the said Mr. Chancellor, it was in the end resolved, that the former Committees (who were appointed on *Friday* the 11th day of this instant *November* foregoing, to draw a Bill for reformation of abuses occasioned by Licences granted for Mariages without Banes asking) should meet this Afternoon in the Exchequer Court at two of the Clock for that purpose, and that Sir *Thomas Cecill*, Sir *Francis Hastings*, Sir *Robert Wroth*, Sir *Edward Hobby*, Mr. *Robert Wingfield*, Mr. *Fulk Grevill*, Mr. *Nathaniel Bacon*, Mr. *Synnell*,

well, Mr. George Moore, Mr. Francis Bacon, Mr. Francis Goodwyn, Sir Edward Hastings, Sir Henry Worth, Sir Anthony Cope, Sir William Moore, Mr. Hexte, Sir John Sudmore, Mr. Finch and Mr. Francis Moore, should receive Informations of the grievances touching Ecclesiastical Causes, this day moved in the House, and should meet to that purpose upon *Friday* next at two of the Clock in the Afternoon in the Exchequer Chamber. *Vide Nov. 16.*

Mr Francis Bacon, one of the selected Committees concerning Inclosures and Tillage, moved for a time to be appointed for the same selected Committees to impart their travels therein to the general Committees, (who were appointed in the same Cause upon *Saturday* the 5th day of this instant *November* foregoing) to the end that thereupon the same may afterwards be reported unto this House accordingly. Whereupon it was Ordered, that they should for that purpose meet in this House to Morrow next at two of the Clock in the Afternoon.

Mr Francis Moore, one of the Committees in the Bill against Forestallers, Regrators and Ingrossers, &c. shewed the meeting of the Committees in that Bill, and some Amendments by them made in the same; and so delivereth in the same Bill so amended.

The Bill for repressing of Robberies, and touching Huy and Cry, was read the second time, and upon the question for Commitment was denied to be committed, and upon another question for the ingrossing, was denied to be ingrossed, and so rejected.

On *Tuesday* the 15th day of *November*, Five Bills of no great moment had each of them one reading; of which the first being the Bill for extirpation of Beggars, was read the first time.

Sir Robert Wroth, one of the Committees in the Bill for Repeal of the Statute of the 23^d year of the Queen, Intituled An Act for encrease of Mariners and for maintenance of Navigation (who were appointed on *Thursday* the 10th day of this instant *November* foregoing) brought in the Bill with some Amendments made by the Committees; which Amendments being twice read in the House, the Bill was afterwards and after some Speeches against the Bill, Ordered to be ingrossed upon the question.

Mr Serjeant Drew and Mr Dr Stanhop do bring from the Lords the Bill lately passed in this House for the taking away of Clergy from Offendors against the Statute made 3 Henr. 7. concerning the taking away of Women against their Wills unlawfully, which Bill their Lordships have also passed with a Proviso thereunto annexed.

The Bill concerning the establishing of the Town-Lands of *Wanting* in the County of *Berks* was read the third time, and passed upon the question.

Mr Chancellor of the Exchequer, putting the House in remembrance of the Speech delivered unto this House by the Lord Keeper upon the

first day of this present Parliament by her Majesties direction touching the Causes of her Highnesses calling of this Parliament, and shewing at large her Majesties great and excessive Charges sustained for the defence of her Highnesses Realms and Dominions against the force of the King of *Spain*, amounting to more than a treble value of the last three Subsidies and six Fifteenths and Tenths granted unto her in the last Parliament; and declaring further the great necessity of some Mass of Treasure, to be provided towards the supply of her Highness Charges in the continuation of the maintenance of her Majesties Forces in defence of her Highness Realms, Dominions and Subjects against the Forces and Invasions of the said King of *Spain*; and further referring the particularities of the designs and attempts of the said King of *Spain* since the last Parliament to be reported unto this House by Mr Secretary, moved for a selected Committee of this House, to be nominated to treat and consult concerning that matter.

Mr Secretary Cecill shewed at large the purposes, practices and attempts of the said King of *Spain* against her Majesty and her Realms, Dominions and Subjects, in divers sorts and at sundry times, together with his great overthrows in the same by the mighty hand of God, and of her Highnesses Forces, to his perpetual ignominy and great dishonour throughout the whole World. And so after a large discourse most excellently delivered by him, concluded with a Motion for proceeding to the said Committees. Whereupon some Speeches being had to that end by Sir Edward Hobby and Mr. Francis Bacon, It was agreed, that all the Privy-Council being Members of this House, all the Knights returned for the Counties into this present Parliament, and all Citizens for Cities returned into this House, should meet about the said business on *Friday* next at two of the Clock in the Afternoon in this House, and any other of this House then to come to them also at their pleasures that will. *Vide plus* on *Wednesday* the 7th day of *December* following.

On *Wednesday* the 16th day of *November*, Four Bills had each of them one reading; of which the last being the Bill for the Town of *Northampton* was upon the second reading committed unto the Knights for the County of *Northampton*, and the Burgesses for the Town of *Northampton*, Mr. Edward Mountague, Sir Edward Hobbie and others; And the Bill was delivered to Sir Thomas Cecill. All which were appointed to meet at two of the Clock in the Afternoon of this day at Sir Thomas Cecill's House.

Sir Edward Hobby, one of the Committees for the Information of Grants lately moved in this House in Ecclesiastical Causes, moved for a new day of meeting. Whereupon *Monday* next in the Afternoon was appointed for the same, and to be in this House.

Nota, That although her Majesty had formerly been exceeding unwilling and opposite to all manner

manner of Innovations in Ecclesiastical Government; yet understanding at this Parliament of divers gross and great abuses therein, she had on *Monday* the 14th day of this instant *November* foregoing, not only given leave and liberty to the House of Commons to treat thereof, but also had encouraged them to proceed in the reformation thereof, by a Message brought unto the said House by Sir *John Fortescue* Chancellor of the Exchequer. Whereupon the aforesaid Committee here mentioned by Sir *Edward Hobby* was appointed. Touching whose further proceedings in the said matter, see on *Monday* the 21th, and on *Tuesday* the 22th day of this instant *November* ensuing.

The Bill for keeping of Horses from stealing was upon the second reading committed unto Mr *Hubberd*, Sir *Robert Wroth*, Mr *Maynard*, Mr *Portington*, Sir *William Brereton*, Mr *Henry Nevill*, Mr *Pennington* and others; And the Bill and Committees names were delivered to Mr *Hubberd*, who with the rest was appointed to meet to Morrow in the Afternoon in the *Middle-Temple* Hall.

The Amendments in the Bill against Foresters, Regrators and Ingrossers were twice read, and the Bill was committed to the former Committees, (who were appointed to meet on *Monday* the 7th day of this instant *November* foregoing) And there were added unto them Mr *Hext*, Sir *Robert Wroth*, Mr *Francis Moore*, Mr *Litton*, Mr *Henry Maynard*, Sir *George Carew*, Mr *Henry Hubberd*, all Barons of Ports, and Sir *Nicholas Parker*, who were appointed to meet to Morrow in the Afternoon in the *Middle-Temple* Hall; And the Bill was delivered to Mr *Francis Moore* and Mr *Lawrence Hide*.

The Proviso which came from the Lords in the Bill from taking Clergy from certain Offenders, and lately passed in this House and sent up unto their Lordships, was three times read and passed upon the question.

Mr *Hext*, one of the Committees in the Bill for the Town of *Langford Estover* (who were appointed on *Thursday* the 10th day of this instant *November* foregoing) shewed the meeting of the Committees, and many Causes wherefore he thinketh the Bill very unmeet to have any passing in this House. Whereupon none offering to speak for the said Bill, the same was rejected upon the question for ingrossing.

The Bill for repeal of a Statute of the twenty third of the Queens Majesty, Intituled, An Act for encrease of Mariners and maintenance of Navigation, had its first reading; And after some Speeches both with the Bill and against it, it was in the end passed upon the question.

Sir *John Fortescue* Chancellor of the Exchequer shewed unto the House, that this Afternoon being appointed for two Commitments, the one touching Monopolies and Patents of Priviledge, and the other for the true Answering of the Tents and Subsidies from the Clergy to her Majesty, in both which himself is a Committee a-

mongst others; and that himself and Mr Secretary *Cecill* are specially commanded to wait upon her Highness this Afternoon, and therefore cannot attend the said Commitments; and so moving for a new day of meeting wished the same to be upon *Saturday* next at two of the Clock in the Afternoon: Which albeit it was well liked of, and yielded unto by some; yet was it over-ruled by number of Voices, That as concerning the said Monopolies and Patents of Priviledge, the said Commitments should be continued to be held in the Afternoon of this present day in this House. *Vide plus* touching this business on *Tuesday* the 8th day of this instant *November* foregoing.

On *Thursday* the 17th day of *November*, Two Bills of no great moment had each of them one reading; of which the last concerning the Lands and Debts of Sir *Henry Unton* Knight deceased, had its first reading.

Mr *Thomas Jewks* is added to the former Committees for Examination of Priviledges and Returns (who were appointed on *Saturday* the 5th day of this instant *November* foregoing) and are to meet this Afternoon in the *Middle-Temple* Hall.

The Bill also for erecting of Houses of Correction and the punishment of Rogues and Sturdy Beggars, was read the first time.

On *Friday* the 18th day of *November*, Twelve Bills had each of them one reading; of which the last being the Bill for erecting of Hospitals or abiding or Working-Houses for the Poor, was upon the second reading committed unto Sir *John Hart*, Mr Recorder of *London*, Mr *Tasbrough*, all the Readers of the *Middle-Temple*, Mr *Boyce*, Mr *Henry Bellasis* and others; And the Bill was delivered with the Committees names to the said Mr *Boyce*, who with the rest was appointed to meet this Afternoon at two of the Clock in the *Middle-Temple* Hall.

Mr *Francis Moore*, one of the Committees in the Bill against Foresters, Regrators and Ingrossers, (who were appointed on *Monday* the 17th day of this instant *November* foregoing) shewed, that the Committees have withdrawn out of the said Bill those points that concerned Corn, Grain and other Victuals, and have framed a new Bill for that purpose, Intituled, An Act to make void Contracts upon Ingrossing of Corn, Grain or Victual, which had its first reading; And the old Bill, for as much thereof as was not withdrawn, was upon the question Ordered to be ingrossed.

Sir *Francis Hastings*, Mr *Francis Bacon* and Mr Secretary moved touching the further preparing of the Bills for the re-edifying of Houses and encrease of Tillage. Whereupon after some other Speeches it was resolved, that the Committees therein should meet again for the same this Afternoon in this House.

The Bill against dying of Cloths with black Wood *alias* Logwood, was upon the second reading committed unto the Citizens for *London*, *York*, *Coventry*, *Canterbury*, *Bristol*, the Burgesses
of

of Hull and Redding, Mr Finch and others; And the Bill was delivered to Sir John Hart, who with the rest was appointed to meet in the Guild Hall upon Tuesday next at two of the Clock in the Afternoon.

Mr Sherley, one of the Committees for continuance of Statutes (who were appointed on Friday the 11th day of this instant November foregoing) shewed, that the greater number of the residue of the Committees being Yesterday employed in sundry other Committees, could not be present at the same Committee; and so prayed another day of meeting. Whereupon Monday next at two of the Clock in the Afternoon was appointed at the former place, viz. the Inner-Temple Hall.

The Bill to restrain the carrying of Worsted-Yarn out of Norwich and Norfolk unwrought was upon the second reading committed unto the former Committees for Logwood, and to meet at the same time and place; And the Knights of Norfolk, Mr Nathaniel Bacon and Mr Southerton were added unto them; And the Bill was delivered to Sir John Hart one of the Committees.

The Bill concerning the Hospital of Warwick was read the second time, and committed unto the Knights for Warwickshire, the Burgeses of Warwick, Mr Linley, Sir Francis Hastings, Mr Recorder of London, Mr. Doctor Cesar, Mr. Foulk Crevill, Sir Robert Wroth and others; And the Bill was delivered to Mr Foulk Crevill with a Note of the Committees names, who with the rest was appointed to meet in the Exchequer Chamber upon Wednesday next at two of the Clock in the Afternoon.

Thomas Layton Esquire, one of the Knights for the County of Salop having been much visited with sickness since his coming up to this Session of Parliament, is for the better hope of recovery of his health licensed by Mr Speaker to depart home into his Country.

On Saturday the 19th day of November, Four Bills of no great moment had each of them one reading; of which the last being the Bill for erecting of Houses of Correction and punishment of Rogues and Sturdy Beggars was upon the second reading committed unto Mr. George Moore, Mr. Attorney of the Dutchy, and Mr. Attorney of the Court of Wards, Mr. Francis Bacon, Sir Thomas Cecill, Sir William Moore, Sir Robert Wroth, Mr. Recorder of London and others; who were appointed to meet on Tuesday next in the Middle-Temple Hall at two of the Clock in the Afternoon.

Sir John Fortescue Chancellor of the Exchequer, one of the Committees for the Subsidy, who were appointed on Tuesday the 15th day of this instant November foregoing, shewed the meeting of the Committees yesterday, and their assents to grant unto her Majesty three intire Subsidies, and six Fifteenths and Tenths; the two first Fifteenths to be levied before next, and three Subsidies to be paid at three in-

tire payments in the three next years. Whereupon some of the House were of opinion that the last of the said three Subsidies should have been in two several years, at two several payments, in the like manner as the third and last Subsidy granted in the last Parliament was paid. Whereupon Mr. Secretary Cecill purporting to the House the said Assent of the Committees for the said payments in manner as Mr. Chancellor had before declared, shewing very many forcible reasons and causes of very great importance for the said speedy performance of the said payments accordingly. Which done, it was upon the Question resolved, that the said last payment of the said three Subsidies shall be made in one year and at one intire payment, in like sort as the two first of the same three Subsidies are to be paid. Vide Decemb. 7th post.

Mr. Davies shewing many Corruptions in the Masters of Colledges in the Universities of Oxford and Cambridge, in their abusing of the Possessions of the same Colledges contrary to the intents of the Founders, converting the benefit of the same to their own private Commodities, prayed the advice of this House for reformation, and having a Bill drawn to that purpose desired he might have assistance of some of the Members of this House being learned in the Laws, for the better digesting of the said Bill against the next sitting of this Court. Wherein Mr. Speaker referred him to Mr. Francis Moore and Mr. Boise, with such other Members of the House as are of the Temple together in the same House with the said Mr. Davies.

Sir Edward Hobbie liking very well of the said Motion made by the said Mr. Davies, moved that like consideration may be had of Deans and Chapters as of the said Masters of Colledges.

On Monday the 21th day of November, the Bill against Bastardy was read the second time, and committed unto the former Committees for erecting of Houses of Correction and the punishment of Rogues and sturdy Beggars, to meet at the former time and place.

The Bill for employment of the Poor on work, and to refrain them from idleness, was read the second time, and committed to the former Committees, to meet at the same former time and place.

The Bill for the Lord Mountjoy had its first reading.

Sir Thomas Cecill, one of the Committees in the Bill for George Durrant (who were appointed on Tuesday the 8th day of this instant November foregoing) shewed the meeting of the Committees and sundry particulars of their travel in the said Bill to the good satisfaction of this House. Whereupon the said Bill was upon the question Ordered to be ingrossed.

Mr. Adrian Gilbert, one of the Burgeses for Burtport in the County of Dorset, is for his necessary repair into the Country unto his Brother Sir Walter Raleigh Knight (being as it is said visited with sickness) licensed by Mr. Speaker

to depart into the Country unto his said Brother.

The Bill concerning the Lands and Debts of Sir Henry Unton Knight deceased was read the second-time, and committed unto Mr. Comptroller, Sir Thomas Cecill and others; and the Bill was delivered to Sir William Cornwallis, who with the rest was appointed to meet upon *Wednesday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr. Baker, one of the Committees concerning Weavers and Spinners (who were appointed on *Thursday* the 10th day of this instant *November* foregoing) brought in the old Bill, which was recommitted unto the former Committees, and Mr. Nathaniel Bacon, Mr. Hext, Sir John Savile, Mr. Davies and Mr. Bourchier were added unto them: All which were appointed to meet in the *Middle-Temple Hall* upon *Wednesday* next at two of the Clock in the Afternoon; And the Bill was delivered unto Mr. Nathaniel Bacon.

Mr. Francis Bacon, one of the Committees for Tillage and re-edifying of Houses (who were appointed on *Saturday* the 5th day of this instant *November* foregoing) shewed the sundry meetings and traverses of the Committees in divers and sundry courses concerning the converting of Tillage into Pasture; And that as touching the said matter of Tillage they have framed a Bill, which he offered unto this House, requiring the same might be read to Morrow: And as touching the said matter of re-edifying of Houses, being not so thoroughly digested in the said Committee as the other was for Tillage, he hopeth nevertheless to have the same very shortly ready to go forward together with the other.

Mr. Boyse, one of the Committees in the Bill for Hospitals, abiding and working Houses for the Poor (who were appointed on *Friday* the 18th day of this instant *November* foregoing) shewed the meeting of the Committees and some Amendments in the Bill; and delivered in the Bill so amended: which Amendments being twice read, the Bill was upon the Question Ordered to be ingrossed.

Mr. Robert Wingfield, one of the Committees touching the abuses of Licences (who were appointed on *Friday* the 11th day of this instant *November* foregoing) delivered some particular informations to Mr. Chancellor, and a Licence with a Blank to Mr. Speaker. *Vide* concerning this matter on *Wednesday* the 16th day of this Instant *November* foregoing.

Mr. Winch, one of the Committees in the Bill to keep Horses from stealing (who were appointed on *Wednesday* the 16th day of this instant *November* foregoing) shewed the meeting of the Committees and some Amendments in divers parts of the Bill; and so delivereth in the Bill with some Amendments; and the Bill was re-delivered unto him again to be further considered of by the Committees, and the Committees names were read, and thereupon were appointed to meet again at two of the Clock in the

Afternoon of this present day in the *Middle-Temple Hall*.

Mr. Bourcher moved the House touching the discovery of the Counsel of the same by some Member thereof, as it should seem; for his said motion is set down very briefly and imperfectly in the Original Journal-Book of the said House; neither is there any other issue of it there inserted than that Sir Edward Hobbie moved to have the matter proceeded to further Examination, and the Party to be named.

Sir John Fortescue Chancellor of the Exchequer brought in the Articles for the three Subsidies and six Fifteenths and Tenths, with the manners and days of Payments; which being read unto the House and well liked of, were presently delivered to Mr. Solicitor to draw the Book. *Vide* December the seventh *Wednesday* postea.

On *Tuesday* the 22^d day of *November* the Bill for the necessary habitation and relief of the Poor, Aged, Lame and Blind in every Parish was read the second time, and committed unto the former Committees for erecting of Houses of Correction and punishment of Rogues and Sturdy Beggars, who were appointed on *Saturday* the 19th day of this Instant *November* foregoing.

The Bill for relief of Hospitals, poor Prisoners and others impoverished by casual losses, was upon the second reading committed unto the former Committees for erecting of Houses of Correction and punishment of Rogues, &c. *Vide* Committees names *pag. seq.*

The Bill for Supply of Relief unto the Poor was upon the second reading committed unto the said former Committees for erecting of Houses of Correction and punishment of Rogues, &c.

The Bill for setting the Poor on work was read the second time and dashed upon the third question for the Committee, and rejected upon the question for ingrossing.

The Bill for petite Forfeitures to go to the relief of the Poor was upon the second reading committed unto the former Committees in the Bill for erecting of Houses of Correction and punishment of Rogues and sturdy Beggars.

Sir Edward Hobby moved the House for privilege for Sir John Tracie being a Member of this House, and now presently at the Common Pleas to be put on a Jury. Whereupon the Serjeant of this House was presently sent with the Mace to call the said Sir John Tracie to his attendance in this House, which was thereupon so done accordingly, and the said Sir John then returned to this House.

The Bill for the better relief of Souldiers and Mariners was upon the second reading committed unto the former Committees for erecting of Houses of Correction and punishment of Rogues and sturdy Beggars (who were appointed on *Saturday* the 19th day of this instant *November* foregoing) and Mr. Arnold was added unto them.

The Bill for the better governing of Hospitals and

and Lands given to the relief of the Poor was upon the second reading committed unto the former Committees for the erecting of Houses of Correction and punishment of Rogues and Sturdy Beggars, and Mr. Hubbard was added unto them.

The Bill for Hospitality was read the second time, and dashed upon the questions for committing and ingrossing.

The Bill for the relief of the Poor out of Impropriations and other Church Livings, was read the second time; And after some Speeches both with the Bill and against the Bill, upon the doubtfulness of the double question for the committing was upon the division of the House rejected, with the difference of twenty nine Voices, *viz.* with the Yea a hundred and seventeen, and with the No a hundred forty six.

The Bill for levying of certain sums of money due to the Poor was upon the second reading committed unto the former Committees for erecting of Houses of Correction and punishment of Rogues and Sturdy Beggars. And the Bill for extirpation of Beggery was committed to the same Committees: And then were the said eleven Bills concerning the relief of the Poor, and the punishment of idle and sturdy Beggars delivered to Sir Robert Wroth, together with the names of the Committees (whose names being for the most part omitted upon the said Saturday the 19th day of this instant November foregoing, when the said first Bill touching the erecting of Houses of Correction and punishment of Rogues and sturdy Beggars was first committed unto them, are here all expressly named with such as were added unto them. Now in respect that nine other Bills were this present Tuesday refer'd likewise to them as Committees to consider of them, being a thing scarce to be pattern'd that one and the same Committee had at one and the same time eleven Bills in agitation before them, though all upon the matter tending to a like end and purpose, the said Committees were as followeth, *viz.* Mr. George Moore, Masters Attorneys of the Dutchy and Court of Wards, Mr. Francis Bacon, Sir Thomas Philips, Sir Thomas Cecill, Sir William Moore, Sir Robert Wroth, Mr. Edward Philips, Mr. Recorder of London, Sir Thomas Maunsell, All the Readers of the Houses of Court, Mr. Nathaniel Bacon, Mr. Miles Sandes, Mr. Finch, Mr. Colbrond, Mr. Edmund Boyer, Mr. Edward Leukenor, Mr. Henry Warner, Mr. John Boyer, Mr. Rosse, Mr. Whalley, Sir William Cornwallis, Mr. Lea, Mr. Hext, Mr. Richard Mills, Mr. Thomas Smith, Mr. Lea of Lincolns-Inn, All the Serjeants at Law, Mr. James Harrington, Mr. Wingfield, Sir Thomas Hobbie, Sir Anthony Cope, Mr. Mark Steward, Mr. Henry Yelverton, Mr. William Coke, Mr. George Rotheram, Mr. Fettiplace, Mr. Winch, Mr. Hide, All the Knights of Shires, the Burgeffes of Hull, Mr. John Hare, Mr. Coleman, Mr. Hugh Biston, All Citizens of Cities, and Mr. Tasborough, to which Committees this present Tuesday also were added Mr. Arnold and Mr. Hubbard.

Sir Edward Hobbie, one of the Committees in the Bill against Counterfeiting of the hands of the Lords (who were appointed on Saturday the 12th day of this instant November foregoing) shewed their meeting yesterday, and complaining that albeit Yesterday last in the Afternoon was appointed for their meeting, and the Committees names with the time and place read yesterday in the House, none except Mr. Comptroller, Mr. Chancellor, himself and one or more of the said Committees came to the said Committee, so that nothing was done therein. And for the names of the said Committees being afterwards now read by the Clerk, the said Committees were appointed to meet in the former place at two of the Clock in the Afternoon of this day, and the Bill with a note of the Committees names was then delivered to Mr. Comptroller; And thereupon the meeting for the matter of Tollage was deferr'd from this Afternoon till to Morrow in the Afternoon.

Three Bills were sent up to the Lords from the House of Commons by Mr. Comptroller, Mr. Chancellor of the Exchequer and others; of which the two last were, one for the establishing of the Town-Lands of Wanting in the County of Berks to the relief of the Poor, &c. And the last was the Bill for repeal of the Statute of the twenty third year of her Majesty, Intituled An Act for encrease of Mariners and maintenance of Navigation.

The Bill concerning certain Lands of Sir John Spencer Knight, Mary his Wife and Robert his Son, was read the first time.

Mr Winch, one of the Committees in the Bill for keeping of Horses from stealing (who were appointed on Wednesday the 16th day of this instant November foregoing) shewed the meetings of the Committees, and sundry particulars of their Travels therein; And that resting partly upon the Fairs in sundry Countreys to be certainly set down by those that best know the same Countreys, the Bill was recommitted to the same Committees to meet at the former place upon Saturday next at two of the Clock in the Afternoon.

Three Bills of no great moment had each of them one reading; of which the second being the Bill for Arthur Hatch was upon the second reading committed unto Mr. Sandes, Mr. Philips, Mr. Crew, Mr. Finch, Mr. Francis Popburn, Sir Robert Wroth and others, who were appointed to meet upon Thursday next at two of the Clock in the Afternoon in the Middle-Temple Hall.

Mr. Finch one of the Committees for drawing of a Bill for the reformation of the abuses by Licences for Marriages without Banes, shewed, that some of the Committees have met at sundry times for the drawing of a Bill for that purpose, and that himself hath by their appointment drawn such a Bill, and shewed the same to such of the Committees as were assembled at their last meeting, being but very few of them at that time;

and so leaveth it to the Choice of the House either to appoint another day for the meeting of another greater number of the said Committees, that they may be acquainted with the substance of the same Bill, or else to receive the same Bill into this House presently at their own good pleasure. And thereupon he was required by this House to deliver in the said Bill, which he then so did accordingly, and delivered the same to Mr. Speaker.

On *Wednesday* the 23th day of *November*, Four Bills of no great moment had each of them one reading; of which the last being the Bill concerning Leases made by Archbishops and Bishops was upon the second reading rejected upon the question for commitment, and so likewise upon the question for ingrossing.

The Bill for repealing part of the Charter granted to the Town of *Tarmouth* was upon the second reading committed unto Sir *Robert Wroth*, Mr *Fulk Grevill*, all the Burgesses of the Port Towns, and Knights for *Norfolk* and *Suffolk*, Mr. *Nathaniel Bacon* and others, who were appointed to meet on *Friday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr *Walgrave* moved touching the Transporting of a great number of Herrings to *Leghorn*, which occasioneth both a very great scarcity of Herrings within the Realm, and is, he saith, a great means of spending much Butter and Cheese, to the great inhancing of the prices thereof by reason of the said scarcity of Herrings. And having drawn a Bill for redress thereof, offered the said Bill to the House, and delivered the same to Mr Speaker accordingly.

Seven Bills of no great moment had each of them one reading; of which the last being the Bill for the speedy punishment of certain Felonies hereafter to be committed, was upon the second reading committed to the former Committees for relief of Poor, and punishment of Rogues, &c. (whose names see before on *Tuesday* the 22th day of this instant *November* foregoing) and Mr *Wise-man*, Mr *Littell*, and Mr *Lea* were added unto them: And the Bill was delivered to Sir *Robert Wroth*, who with the rest was appointed to meet this Afternoon in the *Middle-Temple Hall*.

Mr *Francis Moore*, one of the Committees in the Bill concerning the Lands and Debts of Sir *Henry Unton* deceased, (who were appointed on *Monday* the 21th day of this instant *November* foregoing) shewed the meeting of the Committees, and opening divers parts of the said Bill at large, shewed further the adding of a Proviso, which Proviso being twice read, the Bill and Proviso were upon the question Ordered to be ingrossed.

Sir *Thomas Cecill*, one of the Committees in the Bill for the Town of *Northampton* (who were appointed on *Wednesday* the 16th day of this instant *November* foregoing) shewed the meeting of the Committees and some part of their travel; and so delivered in the Bill, referring the same to the further pleasure of this House. And so the

Bill upon the question was Ordered to be ingrossed.

Mr *Snagg*, one of the Committees in the Bill to restrain the Carriage of Worsted Yarn out of the City of *Norwich* and County of *Norfolk* unwrought, (who were appointed on *Friday* the 18th day of this instant *November* foregoing) shewed the meeting and travel of the Committees without concluding upon any thing. And thereupon further day was given to the former Committees to meet again about the same upon *Saturday* next at two of the Clock in the Afternoon in the Exchequer Chamber, and the Bill was delivered to the said Mr *Snagg*.

Mr. Attorney General and Mr. Doctor *Stanhop* do bring from the Lords An Act passed with their Lordships concerning the confirmation and establishment of the deprivation of divers Bishops in the Beginning of her Majesties Reign, with recommendation thereof from their Lordships unto this House. Which being after their departure back again, signified unto the House by Mr. Speaker, it was shortly after found by Sir *Edward Hobby*, that the said Act was not rightly and duely endorsed by their Lordships, the same Indorsement being made above the Contents of the said Act, which ought to have been made under it. Whereupon the House being made privy thereof by Mr. Speaker, Mr. Comptroller, being accompanied with divers Members of this House, was sent to the Lords with the said Act to signify the error, and pray the Amendment. *Vide plus* concerning this matter *in fine hujus diei*.

The Bill concerning Coopers was read the second time, and upon the question Ordered to be ingrossed.

Mr Comptroller and the residue returning from the Lords, shewed unto this House, that they have delivered the said Act together with the said Message of this House unto their Lordships according to the said charge given them by this House.

The Bill that Lessees may enjoy their Leases against certain Patentees in certain Cafes was read the first time.

Mr *Francis Bacon*, one of the Committees concerning Tillage and re-edifying of Houses and buildings (who were appointed on *Saturday* the 5th day of this instant *November* foregoing) shewed very eloquently and at large the travel of the said Committees in their sundry meetings together, with his framing a Bill by their appointment for some fit means of procuring the re-edifying of such Houses and Buildings; And so offered the Bill to the House, and recommending the same to their good considerations delivered the Bill to Mr Speaker.

The Bill concerning the Lands of the Lord *Mountjoy* was upon the second reading committed to Mr Comptroller, Mr Chancellor of the Exchequer, Mr Solicitor, Mr *Francis Bacon*, Mr Recorder of *London*, Sir *Tho. Cecill*, Mr *Pellham* and others; and the Bill was delivered to Sir
Tho.

Tho. Cecill, who with the rest was appointed to meet upon *Saturday* next at two of the Clock in the Afternoon in the Treasury Chamber.

The Bill concerning *George Durant* was read the third time, and after many Speeches both with the Bill and against the Bill, and some tending to amendments to be made in some parts of the same, it was in the end deferr'd from being put to the question till *Saturday* next, upon some expectation that the parties to the same Bill may in that mean time grow to some good end amongst themselves without any further troubling of this House therein.

The said Mr Attorney and Mr. Doctor *Stanhop* coming from the Lords do signifie unto Mr Speaker, that where their Lordships had this present day sent unto this House an Act concerning the confirmation and establishment of the deprivation of divers Bishops in the beginning of her Majesties Reign, with a recommendation thereof from their Lordships unto this House; and did afterwards receive the same Act back again from this House, because the indorsement thereof was contrary to the ancient, usual and due Custom of the Parliament, subscribed, and not subscribed according to the same ancient usual and due Custom of the Parliament, as it ought to have been, their Lordships have now sent down the said Act again unto this House, indorsed under the same Act, according to the ancient former usage of the Parliament; And do further signify unto this House, that as the said superscribing of the said Indorsement of the said Act in such manner before was indeed a fault, so the same did grow only by an error in the Clerk of the Upper House, who had never exercised the place before this present Sessions of Parliament; And that their Lordships liking very well of that which was done by this House touching the said Error, do withal wish this House to continue all former good Order and Courses in all Parliament proceedings. *Vide initium istius materie inter præcedaneas relationes hujus Diei.*

On *Friday* the 25th day of *November* four Bills had each of them one reading; Of which the last being the Bill concerning the Lands and Tenements of Sir *John Spencer* Knight, was upon the second reading committed unto Mr. *Winch*, Sir *Robert Wroth*, Mr. *Rotheram*, Mr. *Henry Telverton*, Mr. *Luke*, Sir *Richard Knightley*, Mr. *Henry Hubbard*, Mr. *Robert Wingfield*, the Knights for *Bedfordshire* and Mr. *Bourchier*; And the Bill was delivered unto Sir *Robert Wroth*, who with the rest was appointed to meet at the *Middle Temple* Hall to Morrow at two of the Clock in the Afternoon.

The Bill for assuring of certain Lands and Tenements unto *Robert Cotton*, &c. was upon the second reading committed unto the former Committees in the Bill concerning Sir *John Spencer*, and at the same time and place; And there were added unto them Sir *John Hungerford*, Mr. *William Cecill*, the Knights for the County of *Huntington*, Mr. *William Cotton*, Mr. *Henry Mountague*

and Mr. *Valentine Knightley*, and the Bill was delivered to Sir *Robert Wroth*.

The Bill concerning the draining of certain surrounded grounds in the County of *Norfolk* was upon the second reading committed unto Mr. *Nathaniel Bacon*, Sir *Anthony Cope*, Mr. *Henry Telverton*, Mr. *Henry Spillman*, Sir *Robert Wroth* and others; And the Bill was delivered to the said Sir *Robert Wroth*, who with the rest was appointed to meet upon *Monday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr. *Bourchier*, one of the Committees in the Bill for the relief of *Arthur Hatch* (who were appointed on *Tuesday* the 20th day of this instant *November* foregoing) shewed the meeting of the Committees and their travels in hearing of the Council of all the said Parties: And so reporting the particularities of the state of the Case to the good satisfaction of the House, delivered in the Bill, which was thereupon presently Ordered upon the question to be ingrossed.

Mr. *Snagg*, one of the Committees concerning *Blockwood* and *Worsted Yarn* (who were appointed on *Friday* the 18th day of this instant *November* foregoing) shewed the meeting of the Committees with their Amendments in the said Bill concerning *Blockwood*, and delivered in the same Bill with the Amendments, which being thrice read was upon the question Ordered to be ingrossed.

The Bill for encrease of people for the service and defence of the Realm was read the first time.

Mr. Secretary *Cecill* moved the second reading of this Bill to be to Morrow, and wished all the Members of this House to be present at the same, and provided, as they shall think fit, to imploy their endeavour and Speeches to the furtherance of the proceedings in the said Bill. Whereupon it was agreed, that both this Bill, and also the other Bill for encrease of Tillage, shall be both of them read to Morrow next for their second reading.

Mr. one of the Committees in the Bill for erecting of Houses of Correction and punishment of Rogues and sturdy Beggars, (whose names see on *Tuesday* the 22^d day of this instant *November* foregoing) shewed the sundry meetings and travel of the said Committees, and their Amendments of sundry parts of the said Bill, with addition of the two last leaves; and so delivered in the Bill in such sort amended. Which Bill being very long and the said Amendments many, the day being also far spent, the reading of the said Amendments and Addition were deferred till some other more convenient time.

On *Saturday* the 26th day of *November*, Four Bills of no great moment had each of them one reading; of which the last being the Bill for enrolling and exemplifying of Deafeances, was upon the second reading committed unto Sir *Edward Hobby*, Mr. Lieutenant of the Tower, Mr. *Francis*

Moore, Mr. Edward Lewkenor and others, who were appointed to meet upon *Tuesday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

The Bill concerning the carrying of Sheep-Skins and Pelts over the Seas was read the second time, and committed unto Sir Robert Carie, the Burgesſes of *Newcastle, Barwick, Northampton* and *Lincoln*, Mr. Francis Moore and others, who were appointed to meet upon *Tuesday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr. Serjeant *Drew* and Mr. Dr. *Stanhop* do bring from the Lords the Bill Entituled An Act for eſtabliſhing of the new Colledge of the Poor at *Cobham* in the County of *Kent*.

The ſaid Mr. Serjeant *Drew* and Mr. Doctor *Stanhop* do bring word from the Lords, that their Lordſhips do deſire that ſome half a ſcore of this Houſe may be preſently ſent to confer with their Lordſhips in the Chamber near unto the Upper Houſe, touching an Act lately paſſed this Houſe and ſent up to their Lordſhips, Intituled, An Act for the Repeal of a Statute made in the twenty third year of her Maſteſties Reign, Intituled, An Act for the increaſe of Mariners, and for the maintenance of Navigation. Whereupon Mr. Comptroller, Sir Robert *Wroth* and others were ſent unto their Lordſhips for that purpoſe accordingly.

The Bill for Husbandry and Tillage was upon the ſecond reading committed unto Mr. *Francis Bacon*, Mr. *Yelverton*, Mr. *Tasbrough*, the Citizens of all Cities, Mr. *Green* and others; who were appointed to meet here upon *Tuesday* next at two of the Clock in the Afternoon in this Houſe.

Mr. Comptroller and the reſidue returning from the Lords, he did ſignifie unto the Houſe, that their Lordſhips do think it very diſhonourable that any Act ſhould be intended to paſs in the time of her Maſteſties Reign for repealing of any Law bearing ſuch a title as that is, being An Act for the repeal of a Statute made in the time of her Maſteſties Reign for increaſe of Mariners and maintenance of Navigation. And therefore their Lordſhips do wiſh this Houſe would alter the ſaid Title of the ſaid Act, if they ſhall ſo think good. And to that end their Lordſhips have ſent unto this Houſe by them a Note in Paper, containing two ſeveral Titles, either of which are more apt and fit in their opinions to be by this Houſe ſet down for the title of the ſaid Act: The firſt of which Titles is, An Act made for the increaſe of Mariners and for maintenance of Navigation, repealing a former Act made in the twenty third year of her Maſteſties Reign bearing the ſame title: And the ſecond is, for the increaſe of Mariners and for the maintenance of Navigation: Both which Titles being read by the Clerk, choice was made by the Houſe to have the firſt of the ſaid two titles to be ſet down by this Houſe, for the title of the ſaid Act. Which ſaid firſt title being three times read by the

Clerk, was reſolved upon the Queſtion ſo to be ſet down for the title of the ſaid Act accordingly.

On *Monday* the 28th day of *November*, Two Bills of no great moment had each of them one reading; of which the ſecond being the Bill for the City of *Bristol* was upon the ſecond reading committed unto Mr. Dr. *James*, Mr. *Francis Moore*, the Citizens of *Bristol, Glouceſter, Bath* and *Wells*, Mr. *Snagg*, Mr. *Green* and others; And the Bill was delivered to Mr. *Green*, who with the reſt was appointed to meet this Afternoon at two of the Clock in the *Middle-Temple Hall*.

Mr. *William Bowyer* ſhewed, that being a Member of this Houſe, he was this day ſerved with a *Subpœna* to appear in the *Chancery* by one *James Biddell*, and ſo moved for privilege; ſhewing further, that he did ſignifie unto the ſaid *James Biddell*, that he was a Member of this Houſe, and therefore willed him to forbear the ſerving of the ſame Proceſs, being againſt the liberty of this Houſe; who answered, he would do it notwithstanding any ſuch liberties or privilege of this Houſe whatſoever.

Mr. *Combes* and Mr. *Henry Powle* being likewiſe Members of this Houſe do ſhew, that they were this day ſerved with a *Subpœna ad teſtificandum* in the *Star-Chamber* by one *Anne* the Wife of one *Thomas Wye* Gentleman; and ſo in like manner moving for privilege, the Serjeant of this Houſe was thereupon charged by this Houſe to bring in the ſaid *James Biddell*, and the ſaid *Anne* the Wife of the ſaid *Thomas*, to appear in this Houſe and answer the ſaid Contempt.

Sir *Thomas Cecill* ſhewed the great impoveriſhment of many her Maſteſties Subjects in the *Iſle of Ely*, and in the Counties of *Cambridge, Huntingdon, Northampton, Lincoln* and *Norfolk* by ſurrounding of many Waſtes, Maſh and Watery grounds there, and wiſhing ſome redreſs thereof, offereth a Bill to the Houſe for that purpoſe, and prayeth the reading thereof. Whereupon the ſame was then read for the firſt reading thereof accordingly, Intituled, The Bill concerning watery and ſurrounded grounds in the *Iſle of Ely*, and in the Counties of *Cambridge, Huntingdon, Northampton, Lincoln* and *Norfolk*.

Mr. *Baker*, one of the Committees in the Bill concerning the Wages of Spinners and Weavers (who were appointed on *Thursday* the 10th day of this inſtant *November* foregoing) ſhewed the meeting and travel of the Committees, and the making of a new Bill; and ſo delivereth in both the old Bill and alſo the new Bill.

Mr. Attorney General and Mr. Doctor *Carew* do bring from the Lords the Bill lately paſſed this Houſe, and ſent up to their Lordſhips, Intituled, An Act for the Repeal of a Statute made in the twenty third year of her Maſteſties Reign, Intituled, An Act for increaſe of Mariners and for the maintenance of the Navigation, with certain Amendments by their Lordſhips in the ſame Bill. Which being afterwards reported unto the Houſe by Mr. Speaker, the ſame Amendments were three times read by the Clerk, and ſo paſſed

passed upon the question accordingly.

Roger Dodswell, servant to M^r Blommer, one of the *Middle-Temple*, having entred into this House, and being no Member of the same, and brought to the Bar by the Serjeant of this House, was committed to the Serjeants Ward, and was further referred to be examined this Afternoon by M^r Edward Barker and M^r Hext, and to be by them afterwards reported to this House.

M^r Winch, one of the Committees for Sir John Spencer (who were appointed on Friday the 25th day of this instant *November* foregoing) shewed the meting and proceeding of the Committees to some Amendments in the said Bill; and so delivering in the Bill, and the same Amendments being twice read by the Clerk of this House, the same Bill upon the question was ordered to be ingrossed.

The Bill for increafe of people for the strength and defence of the Realm was upon the second reading, after many Speeches all tending to the good liking and furtherance of the said Bill, Ordered to be committed to the said former Committees in the Bill for Tillage, who were appointed on Saturday the 26th day of this instant *November* foregoing; And so both the Bills with a Note of the Committees names were delivered to Mr. Comptroller.

M^r Attorney General and M^r Doctor Stanhop do bring from the Lords a Bill intituled An Act for the better explanation of an Act made in the 13th year of the Queens Majesties Reign *Capite quarto*, concerning Tellors and Receivors, &c. and do shew that their Lordships do specially recommend the same Bill unto this House.

Three Bills had each of them one reading; of which the last being the Bill for erecting of Hospitals or abiding and working Houses for the Poor, had its third reading; and after many Speeches both with the Bill and against the Bill, it was at last ordered upon the question to be re-committed to the former Committees; and a Bill with a Note of the Committees names was delivered to M^r Boyse.

The Bill against excessive Fees of Ecclesiastical Judges and other Officers and Ministers, was this day in the Afternoon delivered unto Mr. Speaker.

On Tuesday the 29th day of *November*, Eight Bills of no great moment had each of them one reading; of which the last being the Bill for repairing of the Bridges of *Newport* and *Carlion* in the County of *Monmouth*, was upon the second reading committed unto the Knights for all the Shires, and Burgeses for all the Boroughs in *Wales*, *Monmouthshire*, *Hereford* and the Citizens of *Bristol* and *Gloucester*, Mr. Serjeant Williams, Mr. Pembridge and Mr. Oldsworth; And the Bill was delivered to Sir Thomas Jones one of the said Committees, who with the rest was appointed to meet in the Exchequer Chamber upon Thursday next at two of the Clock in the Afternoon.

The Bill for the Town of *Northampton* was read the third time, and upon the doubtfulness

of the question twice put, was dashed upon the division of the House, by the difference of fifty three persons, viz. with the No a hundred fifty three, and with the Yea a hundred.

The Bill for *Arthur Hatch* was read the third time and passed upon the question, the Learned Council on both sides heretofore having been heard as well before the Committees as in this House at the Bar.

Mr. Roger Mawdeley, one of the Burgeses for *Poole* in the County of *Dorset*, is for his necessary business licensed by Mr. Speaker to depart home, leaving with *Fulk Onslow* Esquire, Clerk of the House of Commons, for the Poor and the Minister five Shillings, which the said Clerk received accordingly. A like Precedent of this kind, where the money was left with the Clerk of the said House, was upon the 25th day of this instant *November* foregoing being Friday, at which time Mr. Sherrington Talbot, one of the Burgeses for *Chippingham* in the County of *Wilts*, was licensed by Mr. Speaker to depart for his necessary business, paying unto the Clerk as aforesaid ten shillings for the Poor and the Minister, which he received accordingly.

On Wednesday the 30th day of *November*, Four Bills of no great moment had each of them their first reading; of which the last was the Bill for prohibiting the bringing into this Realm of any Foreign Cards for Wooll.

The Amendments and Additions in the Bill for the erecting of Houses of Correction and punishment of Rogues and sturdy Beggars being twice read, the Bill upon the question was Ordered to be ingrossed.

The Bill concerning the Possessions of the Bishoprick of *Norwich* was upon the second reading committed unto M^r Stephenson, M^r Henry Hubbard, M^r Henry Warner, the Burgeses of *Warwick* and *Linne*, M^r Nathaniel Bacon and others; And the Bill was delivered to M^r Henry Warner, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr. Dr. James, one of the Committees in the Bill for the City of *Bristol* (who were appointed on Monday the 28th day of this instant *November* foregoing) shewed the meeting of the Committees, their Amendments of some parts of the Bill, with some Provisoos added, and so delivereth in the Bill with the Amendments.

Mr. Finch, one of the Committees in the sundry former Bills for relief of the Poor, (whose names see on Tuesday the 22th day of this instant *November* foregoing) shewed the meeting and travel of the Committees in sundry of the said Bills, in some of which as they have not as yet thoroughly proceeded, so he doth deliver in a new Bill for relief of the Poor, now into this House.

M^r Francis Bacon, one of the Committees in the Bill for repeal of part of the Charter of the Town of *Tarmouth* (who were appointed on Wednesday the 23th day of this instant *November* foregoing)

ing) shewed the meeting and travel of the Committees, and so delivereth in the Bill; whereupon after sundry Speeches both with the Bill and against the Bill, it was Ordered in the end, that the Learned Council on both sides should be heard in this House upon *Saturday* next in the Afternoon.

M^r *Snagg*, one of the Committees in the Bill to restrain the carrying of Worsted Yarn unwrought (who were appointed on *Friday* the 18th day of this instant *November* foregoing) and in the Bill for erecting of Hospitals or abiding and working Houses for the Poor (who were appointed on the same day) shewed the meeting and travel of the Committees at large in both the said Bills, and their opinions to be, that the said Bill to restrain the carrying of Worsted Yarn out of *Normich* and the County of *Norfolk* be left to Oblivion; And that the said Bill for erecting of Hospitals or abiding and working Houses for the Poor be referr'd to the further consideration of this House; And so delivered in both the said Bills. Whereupon the same last recited Bill was after many Speeches both with the Bill and against it, passed upon the question.

Mr. *Hext* shewing, that he and M^r *Sands* according to the Commission of this House unto them have examined *Roger Dodswell* Servant to M^r *Blommer* of the *Middle-Temple*, now in the Serjeants Ward for entering into this House and being no Member of the same; and that he finds he so did of mere simplicity and ignorance, without any evil pretence; the said *Roger* was brought in to the Bar, and so submitting himself and taking the Oath of the House was discharged, paying his Fees. *Vide* concerning this matter on *Monday* the 28th day of this instant *November* foregoing.

On *Thursday* the first day of *December*, Two Bills of no great moment were each of them read the first time; of which the former was the Bill for provision of a Preacher in the *Tower of London*.

M^r *James Harrington* nothing. Which is all that is set down by M^r *Fulk Onslow* Clerk of the House of Commons in the Original Journal-Book it self, although the further intent and meaning of it might very well have been more fully expressed, which seemeth to be this, That the said M^r *Harrington* being a Member of this House, and having Licence from M^r Speaker to depart, left nothing with him the said M^r *Onslow* towards the Minister who had read Prayers in the said House during this Parliament, nor for the Poor, which other Members of the same House at other times did, as appeareth plainly by that which immediately followeth, and upon like departure of Sir *Henry Knivet* set down at the end of this present day also.

Sir *Robert Wroth* and M^r *Somtherton* are nominated to make Collection of the Members of this House, both for the Minister his pains in saying Prayers in this House, and for the Poor.

Two Bills of no great moment had each of

them one reading; of which the second being the Bill for maintenance and reparation of *Stains Bridge* and *Egham-Campsey*, was upon the second reading committed unto Mr. *George Moore*, Sir *Robert Wroth*, Mr. *Amer sham* and others; And the Bill was delivered to Mr. *George Moore*, who with the rest was appointed to meet to Morrow in the Afternoon in the Exchequer Chamber at two of the Clock.

Four Bills also had each of them their third reading; of which the last being the Bill against *Forefallers*, *Regrators* and *Ingrossers*, was read the third time, and after sundry Speeches both with the Bill and against it, passed upon the question.

Mr. Serjeant *Drew* and Mr. Doctor *Stanhop* do bring from the Lords a Bill Intituled An Act concerning the School at *Seavenoake*.

Two Bills lastly had each of them one reading; of which the second being the Bill for the better Execution of the Statute made in the twenty third year of the Queens Majesties Reign, for the abolishing of *Logwood* alias *Blockwood* in the dying of Cloth, Wooll or Yarn, was read the third time, and passed upon the question.

Sir *Henry Knivet*, one of the Burgeesses for the Borough of *Malmesbury* in the County of *Wilts*, is for his necessary businesses licensed by Mr. Speaker to depart into the Country, leaving with Mr. *Fulk Onslow* Clerk of this House ten shillings for the Poor, and three shillings and four pence towards the recompence of the Minister that said Prayers in the House, which he received accordingly.

On *Friday* the second day of *December*, the Bill for the establishing of an Award made between *Edmund Cotton* Gentleman, and *Thomas Harvey* Yeoman, was read the first time.

Mr. *Edward Moore*, one of the Committees for drawing of a Bill concerning Armour and Weapons (whose names see before on *Tuesday* the 8th day of this instant *November*) shewed the meeting and travel of the Committees, and delivered in a Bill for that purpose, and another Bill also for the Company of Armourers for the suppressing of false and deceitful Armour and Weapons brought into this Realm from beyond the Seas.

Mr. *Wingfield*, one of the Committees in the Bill for draining and recovery from the Water of certain over-flown grounds in the County of *Norfolk* (who were appointed on *Friday* the 25th day of *November* foregoing) shewed the meeting and travel of the Committees and their Amendments in some parts of the said Bill, and so delivered in the same Bill to the House.

Four Bills of no great moment had each of them one reading; of which the last being the Bill to prevent double payment of Debts upon Shop-Books was upon the second reading committed unto Mr. *Jackson*, Mr. *Maynard*, Mr. *George Moore*, Sir *Edward Hobbie*, Mr. *Wingfield*, Mr. *Fettiplace*, Sir *Francis Hastings*, Sir *Thomas Cecil* and others, and the Bill was delivered to

Mr.

Mr. Fettiplace, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

Sir Edward Hobbie, one of the Committees for the Hospital of *Warwick* (who were appointed on *Friday* the 18th day of *November* foregoing) shewed the meeting and travel of the said Committees, with some Amendments in the Bill, and so delivered in the Bill to the House.

The Bill for the re-edifying of *Whitby-Haven* had its second reading, and upon the several questions for the committing, or the ingrossing, was rejected.

Mr. Bouchier, one of the Committees in the Bill touching the transporting of Sheep-Skins and Pelts (who were appointed on *Saturday* the 26th day of *November* foregoing) shewed the meeting and travel of the Committees, and their Amendments in some parts of the Bill, and so delivered in the Bill to the House.

The Council Learned on both sides in the Bill concerning the Towns of *Lowestoft* and *Yarmouth* in the County of *Norfolk*, were this day heard at large in this House at the Bar till the breaking up of this Court.

On *Saturday* the third day of *December*, Four Bills had each of them one reading; of which the last being the Bill for the speedy punishment of certain Felons, and the manner of their delivery, was read the first time.

Mr. Thomas Balg Recorder of *Stamford* and one of the Burgesses of the same, is for his necessary business in her Majesties Service, licensed to depart, and left five shillings with the Clerk of this House for the relief of the Poor, and the pains of the Minister.

Mr. George Moore, one of the Committees in the Bill for *Staines-Bridge* and *Egham-Cawsey* (who were appointed on *Thursday* the first day of *December* foregoing) shewed the meeting and travel of the Committees, and some Amendments in the said Bill, which Amendments being twice read, the Bill was Ordered to be ingrossed.

The Amendments in the Bill for *Bristol* being twice read, the same was Ordered to be ingrossed.

Mr. Serjeant Yelverton, one of the Committees in the Bill for repairing of the Bridge of *Newport* (who were appointed on *Tuesday* the 29th day of *November* foregoing) shewed the meeting and travel of the Committees, and their adding a Proviso to the Bill, which Proviso being twice read, the Bill was Ordered to be ingrossed.

The Bill for recovery of surrounded Wastes, Marsh and Watery grounds in the Isle of *Ely* and the Counties of *Cambridge*, *Huntington*, *Northampton*, *Lincoln* and *Norfolk*, was upon the second reading committed to Sir Thomas Cecill, the Knights of *Norfolk*, *Northampton*, *Lincoln*, *Cambridge*, *Huntington*, *Suffolk*, *Essex*, *Sussex* and *Bedford*, the Burgesses of the Boroughs in the said Shires, Mr. Oxborow and others; And the Bill was delivered to Sir Thomas Cecill, who with the rest was appointed to meet this Afternoon at

two of the Clock in the Exchequer Chamber.

The Bill for the Hospital called *Nevills Hospital* in the County of *York*, had its third reading. Upon the Motion to have Mr. Bird the Master of the said Hospital, heard with his Council before the Bill be put to the Question for the passing, day was given for him to be heard with his Council in the House upon *Monday* next.

Five Bills were sent up to the Lords from the House of Commons by Mr. Comptroller and others; of which the first was the Bill against Foretallers, Retaylers, &c. the second concerning *Arthur Hatch*, and a third was for the abolishing of Loggwood, alias Blockwood in Dying of Cloths.

Two Bills of no great moment had each of them one reading; of which the second being the Bill concerning the Confirmation and establishment of the deprivation of divers Bishops in the beginning of her Majesties Reign, was upon the second reading committed unto Mr. Serjeant Heyle, Mr. Solicitor, Mr. Doctor James, Mr. Doctor Parkins, Mr. Doctor Crompton, Mr. Stephenson, Sir William Moore and others, and the Attorneys of the Dutches and Courts of Wards; and the Bill was delivered to Mr. Solicitor, who with the rest was appointed to meet on *Monday* next at the *Middle-Temple* at two of the Clock in the Afternoon.

Mr. Finch shewing some griefs of Ministers in some Cases by Colour of a Statute, made in the first year of Her Majesties Reign, Intituled An Act for Conformity of Common-Prayer and Service in the Church and of the Administration of Sacraments, and of a Statute made in the thirteenth year of her said Majesties Reign Intituled An Act to reform certain disorders touching Ministers of the Church, and wishing an Explanation in the one and a mitigation in the other, offereth a Bill unto this House for that purpose.

Mr. Serjeant Drew and Mr. Attorney General do bring from the Lords a Bill lately passed this House Intituled An Act for establishing the Town Lands of *Wanting* in the County of *Berks* to the relief of the Poor, Amendment of High-ways and maintaining of a School within the said Town, shewing that their Lordships have passed the said Bill in the Upper House, and have added a Proviso in the same Bill.

The Bill that Lessees may enjoy their Leases against Patentees in some certain Cases, was upon the second reading committed unto Sir Francis Hastings, Sir Thomas Hungerford, Mr. Solicitor, Sir Thomas Hobby and others; and the Bill was delivered with the Committees names to Mr. Comptroller, who with the rest was appointed to meet upon *Tuesday* next at two of the Clock in the Afternoon in the Exchequer Chamber, and the Parties to bring their Council to the Committees.

On *Monday* the 5th day of *December*, Six Bills of no great moment had each of them one reading; of which the last being the Bill for erect-
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ing of Houses of Correction and punishment of Rogues and Beggars, was read the third time, and passed upon the Question.

The Proviso in the Bill for draining of certain furrounded grounds in the County of *Norfolk* was twice read, and the Bill and Proviso were Ordered to be ingrossed.

Mr. Recorder of *London*, one of the Committees in the Bill for the Lord *Mountjoy* (who were appointed on *Saturday* the 24th day of *November* foregoing) shewed the meeting and travel of the Committees, and so delivered in the Bill to the House.

Six Bills were this Morning sent up to the Lords from the House of Commons; of which the principal were: one concerning the Lands of Sir *Henry Unton*, and another to give power and liberty to Sir *John Spencer*, Mary his Wife and *Robert* their Son, to alienate certain Mannors and Lands in the County of *Somerset*.

Mr. *Henry Hubbard*, one of the Committees in the Bill concerning the Lands of the Bishoprick of *Normich* (who were appointed on *Wednesday* the 30th day of *November* foregoing) shewed the meetings and travel of the Committees, and delivering in the Bill, it was after sundry Speeches committed to the former Committees, and Mr. *Brograve* the Attorney of the Dutchy, the Attorney of the Court of Wards, and Sir *William Cornwallis* were added unto them, and appointed to meet this day at two of the Clock in the Afternoon in the former place, viz. the Exchequer Chamber, and the Bill and Committees names were delivered to the said Sir *William Cornwallis*.

Mr. Doctor *Parkins*, one of the Committees in the Bill to prevent double payments of Debts upon Shop-Books (who were appointed on *Friday* the second day of this instant *November* foregoing) shewed the meeting and travel of the Committees and their adding of a Proviso and some Amendments to the Bill, and so delivered in the Bill.

To Morrow Morning is appointed for the Learned Council of the Lord *Mountjoy* to be heard in this House.

Mr. *Francis Bacon*, one of the Committees in the Bill for tillage and building of Houses (who were appointed on *Saturday* the 26th day of *November* foregoing) shewed at large the meeting and travel of the Committees and their framing of two new Bills, and delivereth both the old Bill and the new Bill into the House.

The Bill concerning Tellors, Receivors, &c. was upon the second reading committed unto all the Privy-Council being of this House, Sir *Oliver Lambert*, Mr. Solicitor, Mr. *Tasborough*, Mr. *Francis Bacon*, and others; And the Bill and Committees names were delivered to the said Mr. Comptroller, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr. *Bird* Master of *Nevill's* Hospital in the County of *York* (who was appointed to be heard

this day with his Council on *Saturday* the third day of this instant *December* foregoing) was called to the Bar, and heard; who shewed that he could get none to be of Council with him. Whereupon being demanded whom he would retain of his Council; and Answering that he would have Mr. *Godfrey*: It was then agreed, that Mr. *Godfrey* should be assigned of his Council, and further day given to hear his Council in this House upon *Wednesday* next being the 7th day of this instant *December* following. At which time the said Mr. *Bird's* Council being heard, it should seem that the said Bill touching *Nevill's* Hospital which had been read the third time, never passed the House.

Mr. Doctor *Muffet*, one of the Burgesses for *Wilton*, being Licensed to depart, left two shillings and six pence with Mr. *Fulk Onslow* Clerk of this House for the Poor and the Minister, but nothing for the said Clerk himself.

Mr. *John Wingfield*, one of the Burgesses for *Peterborough* in the County of *Northampton*, is for his necessary businesses Licensed to depart, and left with the Clerk five shillings for the Poor and Minister.

Mr. *Thomas Hinson*, one of the Burgesses for *Barnstable* in the County of *Devon*, was this day Licensed for his necessary business to depart, and left with the Clerk five shillings for the Poor, and two shillings and six pence for the Minister.

On *Tuesday* the 6th day of *December*, Five Bills of no great moment had each of them one reading; of which the second being the Bill for establishing an Award made between *Edward Cotten* Gentleman and *Thomas Harvey* Yeoman, was upon the second reading committed unto Mr. Serjeant *Harris*, Mr. *Henry Warner* and others; and the Bill was deliver'd to the said Mr. *Warner*, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in the *Temple-Hall*.

The Amendments in the Bill for the Lord *Mountjoy* being twice read, the Lord Marquess of *Winchester* and the Lord *Mountjoy* with their Learned Council were heard at the Bar in this House, before such time as the said Bill and Amendments were put to the Question for ingrossing; and after their departure out of the House, the said Bill with the Amendments was upon the Question Ordered to be ingrossed.

Sir *Hugh Portman* Knight, one of the Knights returned into this present Parliament for the County of *Somerset*, is Licensed by this House to depart; and did leave with Mr. *Fulk Onslow* Clerk of this House, ten shillings for the Poor, and two shillings for the Minister.

To Morrow in the Afternoon in the *Middle-Temple Hall*, the Committees in the Conference for reviving and continuance of Statutes are appointed to meet (who had been appointed on *Friday* the 4th day of *November* foregoing.)

On *Wednesday* the 7th day of *December*, Five Bills of no great moment had each of them one reading; of which the last being the Bill against
lewd

lewd wandering persons pretending themselves to be Souldiers or Mariners, was upon the second reading committed unto Mr. *Simmell*, Mr. *Hext*, Sir *William Moore* and others; and the Bill was delivered to Mr. *Hext*, who with the rest was appointed to meet this Afternoon at two of the Clock in the Exchequer Chamber.

The Bill also against Stealers of Corn and Fruit was upon the first and second reading committed unto the former Committees in the Bill against lewd persons, &c.

The Bill against the stretching and tainting of Northern Cloth was read the second time, and Ordered to be ingrossed.

Mr. *Henry Hubberd*, one of the Committees in the Bill concerning the Lands and Possessions of the Bishoprick of *Norwich*, (who were appointed on *Wednesday* the 30th day of *November* foregoing) shewed the meeting and travel of the Committees, and delivered in the Bill with the good allowance of the said Committees as a Bill in good state.

Mr. Attorney General and Mr. Doctor *Stanhop* do bring from the Lords a Bill which their Lordships intituled An Act for the better and safer Recording of Fines to be levied in the Court of Common-Pleas.

Mr. *Eresbie*, one of the Committees in the Bill for recovering of surrounded Waste, Marsh and Watery grounds in the Isle of *Ely*, and the Counties of *Cambridge*, *Huntington*, *Northampton*, *Lincoln*, &c. (who were appointed on *Saturday* the third day of this instant *December* foregoing) shewed some Amendments by the Committees, and delivered in the Bill.

The Bill for suppressing the multitude of Maulsters was read the second time, and committed unto the former Committees (who were appointed on *Wednesday* the 9th day of *November* foregoing) and unto the Burgesses of *York*, Mr. *Winch*, Mr. *Telverton* and others; And the Bill was delivered to Mr. *Litton* one of the former Committees, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in the *Middle-Temple Hall*. *Vide Thursday January 12th ensuing.*

Mr. *Bird*, with Mr. *Atkinson* and Mr. *Godfrey* being of his Council, were heard this day at the Bar. *Vide* concerning this matter on *Monday* the 5th day of this instant *December* foregoing.

The Bill for increase of people for the strength and defence of the Realm had its first reading.

Post Meridiem.

The Bill for granting unto her Majesty six Fifteenths and Tenths, and three intire Subsidies was read the first time.

Nota, That whereas in the last Parliament *de an. 35 Regin. Eliz.* the House of Commons was not drawn without much and long dispute both with the Lords and by themselves to yield unto the grant of three Subsidies and six Fifteenths and Tenths unto her Majesty, and that the same was

done also with Protestation or Caution, that it should not be made a Precedent for the time to come: Yet it is evident by this Bill now last read, that the same proportion was again yielded unto by the said House at this present, and that also assented unto with far less difficulty and with some harder Conditions on the Subjects part. For a Committee being appointed to consider of it upon *Thursday* the 15th day of *November* last past, they brought in Articles ready drawn and agreed upon between them on the *Saturday* following, being the 19th day of the same Month; at which time the House being pressed did at length condescend to the said grant of the said three Subsidies and six Fifteenths and Tenths, to be paid in a shorter time than those granted in the last Parliament had been. And thereupon her Majesties Solicitor on the *Wednesday* next after, being the 21th day of the same *November*, had the said Articles delivered unto him to draw up the said Bill for the Subsidy accordingly. Which being afterwards by him brought into the said House, was this day read as is aforesaid *primâ vice*. And being read again the second time on *Saturday* the 10th day of the said *December* also, and thereupon Ordered to be ingrossed, had lastly its third reading upon *Wednesday* the 14th day of the same Month ensuing; and being then passed the House, was immediately sent up to the Lords by Mr. Comptroller and others. Neither will it be amiss finally to observe in this place, that as the gift of this Parliament exceeded that in the former *de an. 35 Regin. Eliz.* in respect of the manner of payment, so that gift also in the Parliament following *de an. 43 Regin. ejusdem* being of four Subsidies and eight Fifteenths and Tenths, was much greater than both these that preceeded. By all which it is evident, that either the publick necessity was exceeding urgent in this present and ensuing Parliament, or that the aforesaid Gift yielded unto by the House of Commons, in the before-mentioned 35th year of her Majesties Reign, was made a leading Precedent in the said Parliament ensuing.

On *Thursday* the 8th day of *December* three Bills had each of them one reading; of which the third being the Bill for the better staying of Corn within the Realm was upon the second reading committed unto Mr. *George Moore*, Mr. *Wiseman*, Mr. *Edmond Bacon*, Mr. *Colefield*, Mr. *Birkeby* and others; And the Bill and Committees names were delivered to the said Mr. *Colefield*, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in the *Middle-Temple Hall*.

The Bill for the lawful making of Bayes was upon the second reading committed unto Sir *Robert Wroth*, Mr. *Francis Harvey* and others, the Burgesses of *Norwich* and *Gloucester*, the Knights for *Devonshire* and *Cornwal*; And the Bill and Committees names were delivered to Mr. *Wiseman*, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

The Bill against the bringing in of Foreign Cards for Wooll was upon the second reading committed unto the said former Committees in the Bill next foregoing; And Mr. Serjeant *Harrises*, Mr. Serjeant *Hoyle*, the Knights and Burgeses for *London*, and Mr. *Hubberd* were added unto them, to meet at the former place and time appointed for the said Bayes.

The Bill for Fustians was upon the second reading committed unto the former Committees also.

Sir *Thomas Cecill* made a motion for a Bill of Petition to her Majesty to be drawn and presented unto her, touching Monopolies. Whereupon Mr. *Francis Bacon* perused it further, and after sundry Motions and Speeches had touching the said Monopolies and the abuses of Patents of privilege, it was ordered to be further referred to the former Committees and unto all the Serjeants at Law being Members of this House, Mr. Attorneys of the Court of Wards and of the Dutchy, Sir *Thomas Cecill* and Sir *Thomas Cornwallis*, who were appointed to meet on *Saturday* next in the Afternoon in the Exchequer Chamber, to set down in Writing what shall be by them thought fit, and delivered unto her Majesty by the Mouth of Mr. Speaker in the behalf of this House.

Mr. *Rosse* moving for Priviledge was joyned with the former Committees for Priviledge.

Mr. Attorney General and Mr. Doctor *Carew* do bring from the Lords a Bill intituled An Act for Confirmation of the Joynture of *Christian* and *Mary Sands*.

Sir *Edward Hobby* moved concerning the wanting of some Members of this House not returned into the Book by the Clerk of the Crown.

The Bill for the increafe of People for the strength and service of the Realm, was upon the second reading committed unto all the Privy Council being Members of this House, Mr. *Francis Bacon*, Mr. Solicitor, Mr. *Mountague*, Sir *Thomas Cecill*, Mr. *Pelham* and others; and the Bill was delivered to Mr. *Francis Bacon*, who with the rest was appointed to meet this Afternoon at two of the Clock in the Exchequer Chamber.

Three Bills lastly had each of them one reading; of which the first being the Bill to alter the nature of Gavelkind Lands was read the third time and past upon the question.

The Proviso in the Bill concerning the Town-Lands of *Wanting* was read the third time and passed upon the question.

On *Friday* the 11th day of *December*, Four Bills of no great moment had each of them one reading; of which the last being the Bill for the retaining, well ordering and governing of Mariners and Seamen, was upon the second reading committed unto all the Burgeses of Port-Towns, the Burgeses for *York*, the Knights and Citizens for *London*, Master Doctor *Cesar*, Mr. *Wally*, and others; and the Bill was delivered to Mr. Doctor

Cesar, who with the rest was appointed to meet upon *Monday* next in the Afternoon in the *Middle-Temple* Hall.

The Bill for relieving of Clothiers in the Counties of *Suffolk* and *Essex*, was upon the second reading committed unto Mr. Doctor *Cesar*, Mr. *Edward Hubbard*, Mr. *Ford*, the Burgeses of *Coventry* and others; And the Bill was delivered to the said Mr. *Ford*, who with the rest was appointed to meet to Morrow in the Afternoon in the *Middle-Temple* Hall.

The Bill for establishing of good Orders in Grammar Schools was read the second time, and upon the several questions for the committing and the ingrossing was rejected.

Six Bills of no great moment had each of them one reading; of which the first being the Bill for Confirmation of Statutes Merchants acknowledged in the City of *Lincoln* and Town Corporate of *Nottingham*, was upon the second reading Ordered to be ingrossed.

Seven Bills were sent up to the Lords from the House of Commons by Mr. Comptroller and others; of which one was the Bill concerning Fustians, and another for the repairing of *Stains* Bridge and *Egham* Cawsey.

The Bill also for Tillage and Husbandry was read the first time.

Mr. *Hext*, one of the Committees in the Bill against Stealing of Corn and Fruit, shewed the meeting of the Committees and their Amendments of some parts of the Bill, and so delivered in the said Bill to the House.

Sir *Edward Hobby* moved, that the Clerk of the Crown Office in the Chancery, and the Clerk also of this House do attend to Morrow in the Afternoon in the Star-Chamber upon the Committees for Returns, with their Books of the Returns of the Knights, Citizens and Burgeses of this present Parliament.

Mr. *Francis Bacon*, one of the Committees in the Bill to preserve the property of stoln Horses in the true owners, brought in the Bill with some Amendments, which being thrice read was Ordered to be ingrossed.

Mr. *Snagg*, one of the Committees in the Bill for increafe of People for the defence and service of the Realm (who were appointed Yesterday) shewed some Amendments therein by the Committees, and delivered in the Bill with the Amendments; and the Amendments being twice read, the Bill was upon the question Ordered to be ingrossed.

Mr. *Colebrand* one of the Committees in the Bill for the better staying of Corn within the Realm (who were appointed on the day next foregoing) brought in the said Bill with some Amendments.

Ognell with his Council was appointed to be heard in the House upon *Monday* Morning next, and so in like manner the Council for the Hospital of *Warwick*.

The Amendments in the Bill for recovering of certain Waste Marish and Watery Grounds in the

the Isle of *Ely* and in the Counties of *Cambridge*, *Huntington*, *Northampton*, *Lincoln*, *Norfolk* and *Suffolk* being twice read, the Bill was upon the question Ordered to be ingrossed.

Mr. *Bourchier* one of the Committees in the Bill for Lessees against Patentees, &c. (who were appointed on *Saturday* the third day of this instant *December* foregoing) delivered in the Bill with certain Amendments and a Proviso added unto it.

Monday next was this day appointed for the hearing of the Council of Mr. *Throgmorton*, and of Sir *Moyle Finch*, and of the Lord *Cobham* in this House, and that they have each of them but one Council apiece.

The Bill for the Lord Marquess of *Winchester* was upon the second reading committed unto Mr. *Wingfield*, Mr. Doctor *Cesar*, Mr. *Mainard*, Mr. *Henry Mountague*, Mr. *Francis Moore* and others; and the Bill was delivered to the said Mr. *Francis Moore*, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr. *Wiseman*, one of the Committees in the Bill for Bays (who were appointed on *Thursday* the 8th day of this Instant *December* foregoing) shewed the meeting of the Committees and their Amendments in the same; which Amendments being twice read, the Bill was Ordered to be ingrossed.

The Amendments in the Bill against lewd and wandring persons pretending themselves to be Souldiers or Mariners, being twice read, the Bill was Ordered to be ingrossed.

The Amendments in the Bill concerning the Possessions of the Bishoprick of *Norwich* being twice read, the Bill was Ordered to be ingrossed.

Mr. Serjeant *Harries*, one of the Committees, in the Bill of establishing of an Award made between *Edward Cotten* Gent. and *Thomas Harvey* Yeoman (who were appointed on *Tuesday* the 6th day of this instant *December* foregoing) shewed the meeting and travel of the said Committees, and delivered in the same Bill. Whereupon it was Ordered to be ingrossed.

Three Bills also had each of them one reading; of which the second being the Bill for the well Ordering of such as do practise the Science of Chirurgery, was read the second time, and after the doubtfulness of the question three several times put, it was upon the division of the House dashed, with the difference of twenty nine voices, *videlicet* with the No one hundred and one, and with the Yea seventy two.

Two Bills were sent up to the Lords from the House of Commons by the Chancellor and others, together with a third being for the Explanation of a Statute in *Quinto* of her Majesty concerning Labourers.

Mr. *Wiseman* one of the Committees in the Bill for bringing in of Foreign Cards for Wooll (who were appointed on *Thursday* the 8th of this instant *December* foregoing) shewed the meeting

of the Committees, and that eleven only of them did meet, and six of them liked very well of the Bill, and the other five not: And so delivered in the said Bill, referring the same to the further consideration of this House.

Mr. Serjeant *Drew* and Mr. Doctor *Stanhop* do bring from the Lords two Bills lately passed in this House and now also passed with their Lordships, with some Additions and Amendments; the one of them being for electing of Hospitals for abiding and working Houses for the Poor, and the other for the establishing of the Hospital of Queen *Elizabeth* in *Bristol*, and for the relief of the Poor and Orphans there.

The Bill for the granting of six Fifteenths and Tenths and three intire Subsidies unto her Majesty had the second reading, and was Ordered to be ingrossed. *Vide* concerning this Bill of the Subsidy on *Wednesday* the 7th of this instant *December* foregoing.

Edward Legg Esquire, one of the Burgeses for the Borough of *Wiggon* in the County of *Lancaster*, was licensed for his necessary business to depart, and left with Mr. *Fulk Orsiom* Clerk of the House three shillings six pence for the Poor and the Minister.

On *Monday* the 12th day of *December* the Bill for redress of Abuses and Deceits used in Painting, was upon the second reading committed unto Mr. *George Moore*, Mr. *Fettiplace*, Sir *William Cornwallis*, Mr. Recorder of *London* and others; and the Bill was delivered to the said Sir *William Cornwallis*, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon, in the Exchequer Chamber.

The Bill for confirmation of Letters Patents granted to the Merchant Adventurers of the City of *Exeter*, was upon the second reading committed unto the Knights and Citizens for *London*, the Burgesies of *York*, *Lynn* and *Newcastle*, Mr. Serjeant *Heyle* and others; and the Bill and Committees names were delivered to the said Mr. *Heyle*, who with the rest was appointed to meet this Afternoon at two of the Clock in the *Middle-Temple* Hall.

The Bill against the buying of Armour brought from beyond the Seas was read the second time, and rejected upon the several questions for the Committing and Ingrossing.

The Bill for provision of a Preacher in the Tower of *London* was upon the second reading committed unto all the Privy Council being Members of this House, Mr. *Henry Hubbard*, Mr. Lieutenant of the Tower, Mr. Recorder of *London* and others; and the Bill was delivered to Mr. Chancellor of the Exchequer, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in the *Middle-Temple* Hall.

The Bill also for the building of a Bridge over the River of *Wye*, was upon the second reading committed unto Sir *Robert Wroth*, Mr. *Herbert Croffe*, Mr. Serjeant *Williams* and others; and

the Bill was delivered to Sir *John Scudamore*, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in the *Middle-Temple Hall*.

Sir *Edward Hobbie*, one of the Committees for Privilege and Returns (who were appointed on *Saturday* the 5th day of *November* foregoing) shewed the meeting and travel of the Committees in sundry Cafes both of privilege and Returns. Whereupon it was Ordered, that the Clerk of this House should make search for Precedents against *Wednesday* next for further consideration then to be thereupon had by this House in the Cafes opened by the said Sir *Edward Hobby* unto this House by Order of the residue of the said Committees.

The Bill for the Lord *Thomas Howard* was upon the second reading committed unto Mr. Chancellor of the Exchequer, Mr. *Francis Bacon*, Mr. *Francis Moore*, Mr. *Winch*, Mr. Solicitor and others, who were appointed to meet upon *Wednesday* next in the Afternoon in the Treasury Chamber between the hours of four and five of the Clock.

Mr. Secretary one of the Committees in the Bill concerning Tellors and Receivers (who had been appointed on *Wednesday* the 5th day of *November* foregoing) shewed the meeting and travel of the Committees, and their agreement in writing concerning certain Objections against some part of the said Bill to the Number of fifteen; which being read to the House by the Clerk, it was Ordered, that Conference should be had with the Lords for a Committee of both Houses to be had touching the said Objections. Whereupon the said Mr. Secretary with some others of this House were then presently sent to the Lords to move for the said Conference; Who returning afterwards again to this House, brought word that their Lordships did very honorably and kindly accept the said Message and advice of the said Conference, and had appointed twenty four of themselves to confer with a convenient Number of this House to meet to Morrow in the Afternoon, between one and two of the Clock, in the Great Council Chamber at the Court. Whereupon it was agreed, that all the said former Committees, together with Mr. *Hext*, Mr. *George Cooke*, Mr. *Finch*, Mr. *Winch*, Mr. *Henry Hubbard*, Mr. *Edward Mountague* and others added unto them, should attend their Lordships at the said time and place, and that the five Serjeants at Law being Members of this House should each of them jointly endeavour to defend and maintain the reasons of the said fifteen Objections equally to be proportioned to their several charges. And it was further agreed by this House and so signified unto them by Mr. Speaker, that any other the Members of this House might in the mean time gather any other Objections against any parts of the said Bill, besides the said fifteen Objections or of any of them, and signifie the same unto this House to Morrow, sitting the Court.

The Bill lastly for the relief of the Poor was read the third time, and passed upon the question.

On *Tuesday* the 13th day of *December* six Bills had each of them one reading; of which the last being the Bill for the true making of Daggers, Swords and Rapiers, and of the Blades of every of them, was read the second time and rejected upon the several questions for the committing and engrossing.

The Amendments in the Bill for *Bristol* were thrice read, and passed upon the question.

The Bill for the recovery of certain Waste Marsh and Watery Grounds in the Isle of *Ely* and the Counties of *Cambridge* and *Huntington*, *Northampton*, *Lincoln*, *Norfolk* and *Suffolk* was read the third time, and passed upon the question.

The Bill for the relief of the Poor which passed this House yesterday, and the Bill for the recovering of certain Waste Marsh and Watry Grounds in the Isle of *Ely* and Counties of *Cambridge* and *Huntington*, *Northampton*, &c. were sent up to the Lords by Mr. Comptroller and others.

The Bill for Husbandry and Tillage was read the second time, and after some amendments therein by some of the Committees in the Committee Chamber of this House, and the said Amendments being twice read, the Bill was Ordered to be ingrossed.

The Committees names for Conference with the Lords this Afternoon were this day delivered to Mr. Comptroller.

Mr. Serjeant *Drew* and Mr. Doctor *Stanhop* do bring from the Lords the Bill against Forestallors, Regraters and Ingrossers with some Amendments, which Bill lately passed this House, and was sent up to their Lordships.

Mr. *Crooke*, Mr. *Mountague*, Mr. Solicitor, Mr. *Oldsworth*, Mr. *Robert Wroth*, Mr. *Badger*, Mr. *George Moore* and Mr. *Miles Sands* went up presently into the Committee Chamber to consider further of the Bill of Tillage.

Mr. *Shirley*, one of the Committees for continuance of Statutes (who were appointed on *Friday* the 11th day of this *November* foregoing) shewed the meeting and travel of the said Committees, together with their framing of a Bill for the reviving, continuance and explanation of sundry Statutes, and so delivered in the Bill.

Mr. *Snagg*, one of the Committees for confirmation of Letters Patents granted to the Merchant Adventurers in the City of *Exeter* (who were appointed on *Monday* the 12th day of this instant *December* foregoing) shewed the meeting of the Committees and their utter disliking of the said Bill, shewing the reasons thereof; and so delivered in the said Bill as not fit to pass in this House.

On *Wednesday* the 14th day of *December*, Five Bills of no great moment had each of them one reading; of which the last being the Bill for the granting of three Subsidies and six Fifteenths and

and Tenth was read the third time and passed upon the question. *Vide* concerning this Bill on *Wednesday* the 7th day of this instant *December* foregoing.

Mr. Attorney General and Mr. Doctor *Stanhop* do bring from the Lords a Bill lately passed in this House intituled An Act for the explanation of the Statute made in the first year of her Majesties Raigh concerning Labourers; shewing that their Lordships have likewise passed the same, with some Amendments.

Mr. Secretary, one of the Committees appointed to have Conference with the Committee of the Lords yesterday in the Afternoon at the Court, shewed at large some particulars of the said Conference; and concluded, that their Lordships did desire, that the Copy of the Objections read unto them by the Committees of this House, might be delivered unto their Lordships in Writing, to the end after due consideration had by them upon the same Objections, their Lordships might in the like manner answer this House in the same in writing. Whereupon after sundry Speeches of other the Committees of this House, It was agreed, their Lordships should have such Copy in writing both of the said Objections, and also of such other Objections as the Members of this House should set down or collect, to be further added to the former Objections; and so delivered in the Bill and Objections.

Mr Serjeant *Leukener*, one of the Committees in the Bill for confirmation and establishment of the deprivation of divers Bishops in the beginning of her Majesties Raigh (who were appointed on *Saturday* the third day of this instant *December* foregoing) shewed the meeting and travel of the said Committees, with some Amendments to the Bill; And so did deliver in the said Bill to the House.

Two Bills of no great moment had each of them one reading, of which the second being the Bill for establishing of the Possessions of the Bishoprick of *Norwich*, was read the third time, and stayed from being put to the question for passing till to Morrow that the Council of *Mistress Leicester* have been heard in this House.

Mr *Francis Moore*, one of the Committees for consideration to be had touching the method and substance of the humble thanks to be yielded unto her Majesty by Mr Speaker, in the name and on the behalf of this whole House, for her Highness most gracious care and favour, in the repressing of sundry inconveniencies and abuses practised by Monopolies and Patents of privilege to be set down in writing, shewed the meeting, and travel of the said Committees therein, and delivered a Note thereof in writing, which being then read by the Clerk, was well liked of. Whereupon Mr Speaker moved the House, that albeit he was ready to perform their Commandment according to the substance and effect of the said Note in Writing; yet they would not tye him to the strict and precise

form of the words and terms set down in the same Note, so as he should prosecute the substance and reasons thereof, which was then yielded unto accordingly. *Vide* concerning this matter on *Tuesday* the 8th day of *November* foregoing.

Friday next is appointed to hear the learned Council in the Cause of Lessees and Patentees.

On *Thursday* the 15th day of *December*, Two Bills had each of them one reading; of which the second being the Bill for the lawful making of Bayes was read the third time, and past upon the question.

The Amendments in the Bill for relieving of Cloathiers concerning the weight of short broad and coloured Cloaths to be made in the Counties of *Suffolk* and *Essex*, were read twice and ordered to be ingrossed.

The Bill for the better staying of Corn within the Realm passed upon the question, upon the division of the House, upon many Arguments, with the difference and advantage of twenty nine voices, *viz.* with the Yea one hundred twenty four, with the No eighty five. Whereupon after a motion, that according to the ancient Orders of this House all the Members of the same which did sit against the passing of the said Bill, should go forth of the House to bring in the Bill into the House again, together with the residue of the Members of this House which went out before that were for the passing of the said Bill; (wherein as sundry Speeches were used both *pro* & *contra*, so) at last it was resolved it should be so done and observed for Orders sake accordingly. And then all the Members of this House being gone forth saving only Mr Speaker and the Clerk, Mr Comptroller brought in the Bill in his hand accompanied with all the said Members of this House, and delivered in the same Bill to Mr Speaker according to the ancient former usage of this House in that behalf observed. *Vide* a like Precedent on *Friday March* the 21. in Parliament *de an^o 31^o Eliz.*

The old Objections and the new to the number in all of nineteen, collected against sundry parts of the Bill concerning Tellors and Receivers. &c. and prepared to be delivered to the Lords, were read by the Clerk, and presently thereupon were sent up to the Lords together with the Bill lately passed this House to preserve the property of stolen Horses, and for the true making of Bays. One other Bill likewise passed in this House this present day, intituled An Act for the better staying of Corn within the Realm, &c. And also the Bill concerning the City of *Bristol*, and the Bill for erecting of Hospitals and Houses of Correction and abiding Houses for the Poor, perfected according to their Lordships Amendments in both the same Bills; albeit their Lordships direction in some Amendments were repugnant to the former accustomed ancient Orders of Parliament in such Cases used, as in annexing those Amendments to the said Bill ingrossed in Parchment;

ment, and indorsed with *Soit baille aux Communes*, where the same Amendments so annexed ought to have been set down in Paper, and without any indorsement in the same Paper at all. And one other Bill lately passed this House for the Explanation of the Statute made in the 5th year of her Majesties Reign concerning Labourers, which Bill being lately passed in this House, and sent up unto their Lordships, was afterwards passed by their Lordships with the Amendment of one only word, and so sent down unto this House from their Lordships: which Amendment being affixed to the said Bill and ingrossed in Parchment, and so ingrossed with *Soit baille aux Communes*, was sent also to their Lordships, to pray that the said Amendments may be returned unto this House in Paper affixed to the said Bill, without any indorsement in the said Paper, according to the ancient form of Parliament in such Case used, to the end this House may thereupon proceed to the due and orderly perfecting of the same Amendments accordingly. *Vide* concerning this matter at large upon *Thursday* the 20th day of this instant *December* ensuing, where this matter is fully handled.

The Bill for increase of people for the service and strength of the Realm, was read the third time, and after many Arguments and speeches to the said Bill for the passing thereof, and sundry contradictory speeches, but only to some parts or branches of the same Bill, till such time as the day was far spent, and the matter then in hand being of very great wight and moment, M^r Speaker moved to know the pleasure of the House whether they would in that regard be pleased to defer the said matter to be further argued till to Morrow. Whereof as many of the Members of this House seemed to like well, so many others urging the contrary, it grew in the end to a question, whether the said matter should be deferred for further Argument till to Morrow, or else be presently continued; It was upon the doubtfulness of the voices upon the putting of the question, ordered by the division of the House, with the difference and advantage of nine Voices or Poles, (*viz.* with the Yea one hundred and eight, and with the No one hundred and seventeen) that the said Argument should not be any longer continued this day, and thereupon the Court did immediately rise.

On *Friday* the 16th day of *December*, Five Bills had each of them the third reading, and passed upon the question; of which one was against the stretching and tentering of Northern Cloth, and another against the transporting of Sheep-Skins and Pelts; and a little after all the said five Bills so passed in the House were sent up to the Lords by M^r Comptroller and others.

The Bill for Confirmation of the Joynture of *Christian Lady Sands* was upon the second reading committed unto M^r Comptroller, M^r Secretary, M^r Brograve, Attorney of the Dutchy, Sir *William Moore*, M^r *Edward Lewkenor*, Sir

Francis Hastings and others: And the Bill was delivered to the said Sir *William Moore*, who with the rest was appointed to meet to Morrow in the Afternoon in the Exchequer Chamber.

M^r Snagg, one of the Committees in the Bill for Provision of a Preacher in the Tower of *London* (who were appointed on *Monday* the 12th day of this instant *November* foregoing) shewed the meeting and travel of the said Committees, and by their appointment delivered in the Bill, as not fit to have any Course or passing in this House.

After many arguments in the Bill for increase of People for the service and strength of the Realm both with the Bill and also against it, a Motion was made, that a Proviso ingrossed in Parchment might be added to the same Bill, which was three times read; And the Bill and Proviso being put to the question, the same did pass accordingly upon the question; And it was then Ordered that the said Proviso should be inserted and written in the end of the said Bill, as a parcel of the same.

On *Saturday* the 17th day of *December* the Bill for the relieving of Cloathiers concerning the weight of short broad coloured Cloths to be made within the Counties of *Suffolk* and *Essex*, was read the third time and passed upon the question; and also upon the division of the House, with the difference and advantage of twenty six Voices, (*viz.* with the Yea one hundred and five, and with the No seventy nine) which being done and a Motion thereupon made by some, that those which did sit against the Bill might rise and go forth to fetch and bring in the Bill into this House, accompanied with the residue of the Members of this House according to the ancient orders of the House in such Case used; M^r Speaker did thereupon move that in regard of the preciousness of this present time, the Parliament being so near an end, it might please this House in yielding and assenting to the due allowance of the right of the said Order in the said Course thereof in the Ceremony of bringing in this Bill, the Execution of the same may for this time be omitted and forborn in regard of the shortness of the time, and was thereupon so assented unto and Ordered accordingly upon the question.

Nota, That there is an excellent Precedent of the full performance of this Ceremony on *Thursday* the 15th day of this instant *December* foregoing (with which also agrees another like Precedent which fell out in the Parliament in *an. 31 Regis Eliz.* upon *Friday* the 21. day of *March*) and yet this present passage is somewhat more rare than either of those, in respect that the said Ceremony contrary to the ancient usage of the House of Commons was omitted upon the Motion of the Speaker, after it had been put to the question, and overruled by the maior part of voices.

The Bill for Husbandry and Tillage was read the third time and passed upon the question, and after many

many Arguments was sent up to the Lords by Mr Secretary and others.

The Council on both sides in the Bill concerning the Possessions of the Bishop of *Normich* were heard at the Barr, and the Bill after the Council sequestred was put to the question, and so passed accordingly.

On *Monday* the 19th day of *December* the Amendments in the Bill concerning the confirmation and establishment of the Deprivation of divers Bishops in the beginning of her Majesties Reign being thrice read, the Bill with the Amendments passed upon the question.

Two Bills had each of them one reading; of which the second being the Bill against lewd and wandring persons pretending themselves to be Souldiers or Mariners, was read the third time and referred after sundry speeches unto Sir *Robert Wroth* and others, to go up unto the Committees Chamber of this House and to amend some parts of the said Bill according to some of the said motions.

Mr Attorney General and Mr Doctor *Stanhop* do bring from the Lords a Bill passed with their Lordships intituled An Act for confirmation of the Subsidy granted by the Clergy; and do shew that their Lordships do recommend the same to this House for the speedy expedition of the same Bill in this House.

The Bill for confirmation of the Subsidy granted by the Clergy had its first reading.

Mr Attorney General and Mr Doctor *Stanhop* do bring from the Lords a Bill lately passed from their Lordships by the good assent and agreement of the said parties, intituled An Act of Parliament for *Arthur Hatch* her Majesties Ward, for the injoying of the Rectory and Parsonage of *South Molton* in the County of *Devon* for certain years, reserving the usual Rent.

The Amendments of the Committees of this House, that Lessees may enjoy their Leases against Patentees in several Cases, being twice read, and also one Proviso for her Majesty in the same Bill likewise twice read, were ordered to be joyned and inserted into the said Bill; And one special Proviso also for Mr *Throgmorton* being twice read, It was Ordered after many Arguments upon the said Bill and last Proviso *pro & contra*, That Mr *Throgmorton* and Mr *Moyle Finch* being at the Door of this House should be severally called in and demanded by Mr Speaker, whether they would assent to have the matter in controversy between them referred to be ended by such Arbitrators as had been before nominated for that purpose unto them in the Committee, *viz.* the Lord Keeper and the Lord Treasurer, and the two Chief Justices, and in what sum they would be bound each to other for their standing to and performing of such Award therein so to be made: It was at last after sundry such demands made, resolved by both their assents at the Bar in this House, that each of them should enter into Bond unto the other in the sum of five thousand pound to stand to the Order and Arbitrament of

the Lord Archbishop of *Canterbury*, the Lord Keeper of the Great Seal of *England*, and the two Chief Justices, or any three of them, for and concerning the two Leases in question; So as the same Order or Arbitrament be made before the first sitting of this Court which shall happen to be held next after the Feast of the Nativity of our Lord now next ensuing, and the Condition of the Bond to be drawn by the Learned Council of the Parties, and to be perused and considered of further by Mr Speaker.

On *Tuesday* the 20th day of *December*, the Bill for Confirmation of the Subsidy granted by the Clergy was read the second time, and passed upon the Question.

Mr Recorder of *London*, one of the Committees in the Bill against lewd and wandring persons pretending themselves to be Souldiers or Mariners (who were appointed on *Wednesday* the 7th day of this instant *December* foregoing) shewed, that they had amended the said Bill in some parts; which Amendments being twice read to the House, before any allowance for the third reading of them, several Members of this House did argue to the parts of the said Bill and Amendments, both with it and against it; after which, Committees were appointed in the said Bill against wandring Souldiers and Mariners, and also in the Bill concerning Lessees and Patentees against the next sitting of this Court, and to meet to Morrow in the Afternoon in the *Middle-Temple* Hall, who were as followeth, *viz.* Mr Solicitor, Sir *Thomas Egerton*, Sir *Gilley Merick*, Mr *Rosse*, Mr Recorder of *London*, Mr *Brograve* Attorney of the Dutchy, Sir *George Carey*, Mr *Crew*, Mr *John Hunt*, Mr *Philips*, Mr *Finch*, Mr *Hext*, Mr Serjeants *Harries*, *Heyle* and *Warberton*, Sir *Walter Raleigh*, Sir *Robert Wroth*, Sir *Oliver Lambert*, Mr *Francis Moore*, Sir *Henry Norris*, Mr *Bourchier*, Mr *Mountague*, Mr *George Crooke*, together with all the Committees in all other Bills formerly committed by this House, and not as yet expedited, who are likewise to meet at the aforesaid time and place concerning such Bills as are committed unto them.

Mr Attorney General and Mr Doctor *Stanhop* did bring three Bills from the Lords, which had passed before in this House, and had been sent up to their Lordships; whereof one was the Bill for erecting of Houses of Correction and punishment of Rogues, Vagabonds and Sturdy Beggars; which Bill their Lordships had passed with some Amendments and Additions. Another Bill was for relief of the Poor, which Bill their Lordships had in like manner passed with some Amendments and Additions. And the third was for Explanation of a Statute made in the first year of the Queens Majesties Reign, concerning Labourers, which Bill their Lordships had also before passed with some Amendments, and sent it down into this House, and had received the same again afterwards; with Message from this House, that this House had no Warrant to take notice of that Amendment, because it was in Parchment and

and not in Paper: And shewed, that their Lordships did not expect any exception of such Levity from the Gravity of this House; and the rather because this House had before in this present Sessions of Parliament admitted of such like Amendments in Parchment from their Lordships in two other Bills, and not in Paper, without any such exception; their Lordships taking it not to be much material whether such Amendments be written in Parchment or in Paper, either white Paper, black Paper or brown Paper. Which Message being so delivered, and the said Mr Attorney and Mr Doctor Stanhop departed, Mr Speaker reported unto the House the substance of the same Message, putting them in remembrance, that the said Amendment not only was not in Paper, but was also subscribed or indorsed with *Soit baille aux Communes*. And further shewed, that the Cause of the said returning of the said last recited Bill unto their Lordships, to the end the said Amendments thereof might be sent down by their Lordships unto this House in Paper, without any such subscription or indorsement, and not in Parchment, did proceed upon the Advertisement of the Clerk of this House unto Mr Speaker, that the Ancient and usual Order of the Parliament in both Houses was and is, that Amendments in Bills are to be set down only in Paper and not in Parchment, and that also without any manner of Endorsement in the same Amendments at all, because the Indorsement thereof is subscribed in the Ingrossed Bill it self under the Indorsement of this House, in the same Bill. Whereupon some of the Members of this House charging the said Clerk, that by his default and Error this House was charged by the Lords with the said imputation of Levity, the said Clerk then humbly prayed, that some of the Ancient Parliament men of this House might have the Examination of the said Cause, how it had been proceeded in, and to report such the default and error of the Clerk, if any such were. The House thereupon resolved to hear the said Clerk speak himself. Which done, the said Clerk of this House shewed, that the Clerk of the Upper House coming into the Exercise of his Office but in this present Sessions of Parliament, the two Bills mentioned by Mr Attorney to have been sent to this House from the Lords with Amendments in Parchment (and unto which no Exceptions had been taken by this House) he the said Clerk of this House did in some friendly and courteous intention towards the said Clerk of the said Upper House, seek to salve up those mistakings for the time only in some part of them, but not in the whole, and so to make the said Clerk of the said Upper House afterwards acquainted with the due Order and Form of the Reformation therein against other times afterwards in like Cases, and had so made one of the Clerks of the said Clerk of the Upper House privy of the right course and manner of the sending down such Amendments in Paper and not in Parchment, and that also without any

Indorsement: yet nevertheless the said Amendment in the said Bill so returned as afore said, was atsoons both sent down in Parchment and also subscribed or Indorsed with [*Soit baille aux Communes*] contrary to the said advice and instruction of the said Clerk of this House, so as afore said given to one of the Clerks of the said Clerk of the Upper House. And did further aver unto this House, that the said three Bills being passed in this House Ingrossed in Parchment, are the Bills of this House and not the Bills of the Lords, though sent up by this House to their Lordships, and do still remain the Bills of this House: And that if their Lordships would have any words of Amendment either taken out of the same Bill, or put into it, or else otherwise altered or changed in it, then must such words be set down in Paper by their Lordships and annexed to the Bill, shewing the line and place of the line in the Bill where such words should be either taken out or put in, and then their Lordships to subscribe or Indorse under the superscription or Indorsement of this House in the same Bill, *A ceste Bille avecque les amendments à mesme le Bille annexe, les Seigneurs sent assentus*. But if their Lordships do add any new matter or Proviso to the said Bill which was not before in the same Bill, then must all that be ingrossed in Parchment and affiled to the said Bill, and the said Bill must be subscribed or Indorsed under the subscription or Indorsement of this House in the same Bill, *A ceste Bille avecqz le schedule à mesme le Bille annexe, les Seigneurs sont assentus*: or, *A ceste Bille avecqz une provision annexe, les Seigneurs sont assentus*, if it be a Proviso and not a Schedule to the body of the Bill: Then also must the said Schedule or Proviso so Ingrossed in Parchment be annexed to the said Bill, and be subscribed and Indorsed by their Lordships under such Schedule or Proviso, *Soit baille aux Communes*, and so be sent down to this House passed by their Lordships; which done, the said words in Paper must be taken out of the same Bill, or else put into the same Bill only by this House in the said Lines and places of Lines according to the direction of the Lords said Amendments in Paper; And the said Schedule or Proviso, being three times read and passed in this House upon the question, the same Schedule or Proviso must be subscribed and Indorsed by this House under their Lordships said Indorsement thereof, *A ceste Schedule les Communes sont assentus*, if it be a Schedule; or, *A ceste provision les Communes sont assentus*, if it be a Proviso. Which Course being so then also approved by some of the Ancientest now Parliament Members of this House, It was thought meet that all the Members of this House being of her Majesties Privy Council, together with the best sort of the rest of the Members of this House, accompanied with the Serjeants at Law which are of this House, should be presently sent to their Lordships from this House, without carrying up any Bill at all, and to signify unto their Lordships in the name of this whole House, That

as this House had not in any manner of sort erred in their said returning unto their Lordships the said Bill and Amendments in Parchment to have had the same done in Paper and without any Subscription or Indorsement at all, to the end this House might by Warrant thereof have inserted the same Amendments into that their own ingrossed Bill according to the ancient Order of Parliament in such Cases formerly used by this House: So this House doth take it self to be very hardly dealt with, to be taxed by their Lordships with imputation of Levity, and reproached by other unusual and unnecessary terms delivered unto them this day in the said Message from their Lordships. And then upon some further Motion it was resolved, that M^r Secretary, accompanied with M^r Chancellor of the Exchequer and others, should be thereupon sent to their said Lordships presently for that purpose. Which done, the said M^r Secretary putting the House in mind that the Lords had sent down to this House three Bills, at their time of sending down their said Message to this House, Moved, that this House would be pleased to accompany this their Message unto their Lordships imposed upon him, with the Bill which this day passed in this House, for Confirmation of the Subsidy of the Clergy. Which being yielded unto, the Amendments of the Lords in Paper annexed to the said ingrossed Bill of this House, Intituled An Act for the Explanation of the Statute made in the first year of her Majesties Reign concerning Labourers, were three times read by the Clerk and agreed upon the Question, and presently inserted into the said ingrossed Bill accordingly; and both Bills were thereupon sent up to their Lordships by the said M^r Secretary and others, together with the said Message of this House; and at their returning back again, the said M^r Secretary signified unto this House that he had delivered their said Message unto the Lords according to their charge laid upon him therein. But what was their Lordships Answer is most negligently and inconsiderately omitted by *Fulk Onslow* Esq; Clerk of the House of Commons; though it may be not improbably gathered, that their Lordships did rest very well satisfied with this Message of the said House of Commons, and did impute the said mistakes to be the inexperience of the said *Thomas Smith* Esquire their new Clerk, who had this Parliament succeeded unto *Anthony Mason* Esq; formerly Clerk of the Upper House. Which may the rather be conjectured, because there was another Precedent this very Parliament upon *Thursday* the 24th day of *November* foregoing, in which the Lords upon a like mistake of the said Clerk did very honourably acknowledge the said error and caused it to be amended.

The next thing finally that ensueth upon relation of the aforesaid great business, is the Adjournment of the Parliament, which is entred in these very words following.

This day this Court was Adjourned until the 11th day of *January* next coming at eight of the

Clock in the Morning by her Majesties Commandment, and so likewise the Upper House.

Upon which said 11th day of *January* being *Wednesday*, the House (according to the aforesaid Adjournment upon *Tuesday* the 20th day of *December* last past) met again, and without any further Ceremony proceeded in such ordinary Bills and businesses as had been left unperfected in the former meeting; the first of which that is expressed in the Original Journal-Book of the House of Commons, was the giving of the first reading unto the Amendments and Provisoos of the Lords added unto the Bill lately passed in this House and sent up to their Lordships, and again returned from them with the said Amendments and Provisoos, being Intituled An Act for the erecting of Houses of Correction and punishment of Rogues, Vagabonds and Sturdy Beggars.

The Amendments and Provisoos of the Lords in the Bill lately passed in this House, Intituled An Act for the relief of the Poor, were likewise this day read in the House for the first reading of the same Amendments and Provisoos.

The Bill for *Arthur Hatch* her Majesties Ward for the injoying of the Rectory and Parsonage of *South-Molton* in the County of *Devon* for certain Years, reserving the usual Rent, was read the first time.

The Bill concerning the High-way Lands of *Aylesbury* in the County of *Buckingham* was upon the second reading committed unto M^r Chancellor of the Exchequer, M^r Recorder of *London*, M^r *Lea*, the Burgesses of *Aylesbury*, M^r *Boyer*, and others; who were appointed to meet in the *Inner-Temple* Hall at two of the Clock in the Afternoon of this day.

M^r *Hext*, one of the Committees in the Bill against wandring Souldiers and Mariners, and in the Bill concerning Lessees and Patentees, shewed that for lack of meeting of the Committees to a convenient number they had done nothing in those Bills, and so prayed another time for their meeting. Whereupon the former Committees (who had been nominated on *Saturday* the third day, and on *Wednesday* the 7th day of *December* foregoing) were appointed to meet to Morrow at *Serjeants-Inn* Hall in *Chancery-lane*, at two of the Clock in the Afternoon for the said Bill against wandring Souldiers and Mariners, and the Bill and Committees names were delivered to M^r *Hext* one of the said Committees: and the further course of the said Bill concerning Lessees and Patentees to be deferred to be further considered of by the former Committees in the same.

The Bill for Limitation of time for bringing of *Formedons* in the *Descender*, and Writs of Error, was upon the second reading committed unto M^r *Serjeants Heyle, Harris* and *Walberton*, M^r Attorneys of the Dutchy and Court of Wards, M^r *Sands*, Sir *Edward Hobby* and divers others, who were appointed to meet to Morrow in the After-

noon at two of the Clock at *Serjeants-Inn* Hall in *Chancery-lane*.

The Bill for Costs to be awarded in a Prohibition, was upon the second reading committed to the former Committees, to meet at the former day and place, and Mr. Doctor *James*, Mr. Doctor *Bennit*, Mr. Doctor *Cesar*, Mr. Doctor *Parlings*, Mr. Doctor *Crompton* and others were added unto them for this Bill.

The Amendments and Proviso of the Committees in the Bill to prevent double payments of Debts upon Shop-Books was deferred till to Morrow to be further considered of, for the perfecting of the same, above in the Committees Chamber for this House.

The Bill lastly for taking away of Clergy from Robbers of Houses in the day time, though no person be therein, was read the first time.

On *Thursday* the 12th day of *January*, Three Bills had each of them one reading; of which the last being the Bill for the due execution of Ordinances made by Corporations, was upon the second reading committed unto Mr. *Philips*, Mr. *Serjeant Walberton* and others, who were appointed to meet to Morrow in the Afternoon at two of the Clock at *Serjeants-Inn* in *Chancery-Lane*.

The Bill to restrain the excessive making of Mault was read the second time and committed to the former Committees which had been in two other Bills before framed to this purpose (whereof the first had its second reading, and was committed upon *Wednesday* the 9th day of *November* foregoing, and then as it seems being rejected by the Committees, a new Bill was to that purpose by them framed, which had its second reading on *Wednesday* the 7th day of *December* foregoing, and was thereupon committed to the former Committees and some others, who, as may very plainly be gathered, disliking the said new Bill, framed yet a third Bill more to the like effect, which was this present *Thursday* read the second time and committed to all the former Committees in the two other Bills; whose names because they are in the former Commitments but in part set down, are now at last in this place inserted at large, in respect that the said Bill touching Maultsters was so often altered, which is not usual, the names of which Committees were as followeth, viz. Sir *Robert Wroth*, Mr. *Hubberd*, Mr. *Liere*, the Burgeses of *York*, *Hull*, *Worcester* and *Gloucester*, Mr. *Bembridge*, Mr. *Henry Telverton*, Mr. *Wallis*, Mr. *Oglethorp*, Mr. *John Caswell*, Sir *Henry Norris*, Mr. *Henry Vaughan*, Mr. *Green*, Sir *Henry North*, Mr. *George Rotheram*, Mr. *William Ford*, Mr. *Miles Sandes*, Mr. *Recorder of London*, Mr. *Stevenson*, Mr. *Michael Stanhop*, Mr. *Swaine*, Mr. *Little*, Mr. *Fulk Grevill*, Mr. *Peake*, Mr. *Litten*, Mr. *Nathaniel Bacon*, the Burgeses of *Norwich* and *Cambridge*, *Warwick*, *Coventry* and *Tewxbury*, Sir *Thomas Hobby*, Mr. *Winch*, Mr. *Telverton*, the Knights and Burgeses of *Bedford*, Sir *William Brereton*, Mr. *Austen*, Mr.

Henry Hubberd, Mr. *Serjeant Walberton*, Sir *Francis Knolles*, Mr. *Edward Lemkenor*, Mr. *Stoughton*, Mr. *Stringer*, Doctor *Bennit*, Mr. *Smith* and Sir *John Tracy*; and the Bill and Committees names were delivered to Mr. *Hubberd*, one of the said Committees, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon at *Serjeants-Inn* in *Chancery-lane*.

Mr. Attorney General and Mr. Doctor *Stanhop* did bring word from the Lords, that whereas there did pass a Bill in this House intituled An Act for the increase of People for the service and strength of the Realm, which was sent up to their Lordships by this House, their Lordships have had the same Bill twice read in the Upper House with their Lordships; and did further signify that their Lordships did desire a Conference touching that Bill with a Selected Number of the Members of this House; and that their Lordships had appointed thirty one of themselves for that purpose, and have appointed the place of meeting to be in the great Council Chamber at the Court between one and two of the Clock in the Afternoon. Upon the delivery of which Message to the House by Mr. Speaker, there were appointed for the said Conference all the Privy Council being Members of this House, Sir *Thomas Cecill*, Sir *Walter Raleigh*, Sir *William Cornwallis*, Mr. *Francis Bacon*, all the Serjeants at Law, Mr. *Fulk Grevil*, Sir *Robert Wroth*, Sir *William Moore*, Sir *Thomas Conisby*, Sir *George Carey*, Mr. *Sollicitor*, Master *Philips*, with divers others.

And it was then further Ordered, that the two Commitments this day appointed to have been holden to Morrow in the Afternoon in *Serjeants-Inn* in *Chancery-Lane*, should be deferred unto *Saturday* next in the Afternoon in the said place; And that Mr. Comptroller with some other Members of this House do presently repair unto the Upper House to move their Lordships on the behalf of this House, that their Lordships would be pleased to set down in writing unto this House the reasons their Lordships have to object against the said Bill, That the said Committees of this House may be the better informed to satisfy their Lordships therein to Morrow at the said Conference.

Mr. Comptroller with other the Members of this House returning from the Lords shewed, that they have moved their Lordships for the having of the said Reasons delivered unto this House in Writing, according to the Charge of this House delivered unto him and them by this House in that behalf; and that their Lordships Answer was, that they did think it to be against the ancient Orders of Parliament to deliver any reasons in writing before a verbal Conference first had of both Houses together, which was to be done to Morrow. *Vide Jan. 24. postea.*

The Bill for the Hundred of *Beynersh* alias *Benherst* in the County of *Berks* was read the second time, and upon the question was Ordered to be ingrossed.

The Amendments this day made by some of the Members of this House above in the Committees Chamber of this House in the Bill to prevent double payment of debts upon Shop-Books, were twice read, and upon the question were Ordered to be ingrossed.

The Amendments and Provisoos of the Lords to the Bill lately passed in this House, intituled An Act for the erecting of Houses of Correction and punishment of Rogues, Vagabonds and Sturdy Beggars, being twice read for the second and third reading of the same Amendments and Provisoos, were together with the said Bill after sundry Speeches first had, referred to the further Examination and Consideration of Sir Walter Raleigh, Mr. Francis Bacon, Mr. Solicitor, Mr. Lewkenor, Mr. Wingfield, Sir Edward Hobby, Sir William Cornwallis, Mr. Hext, Mr. Serjeant Harries and Sir Robert Wroth, who were appointed to meet this Afternoon together with the other Committees in the Bill against wandering Souldiers and Mariners, at *Serjeants-Inn* in *Chancery-Lane*.

Mr. Serjeant *Drew* and Mr. Dr. *Stanhop* did bring from the Lords one Bill lately passed this House and sent up to their Lordships, Intituled An Act for the naturalizing of certain Englishmens Children and others born beyond the Seas, and do shew that their Lordships have passed the same Bill with some Amendments of their Lordships in the same Bill.

The Learned Council for the Hospital of *Warwick* being this day present at the Bar in this House, and no Council at all for any adverse party then appearing to be present, it was resolved that one *Ognell* being Prisoner in the *Fleet* should be advertized by Mr. Serjeant *Harris*, that to Morrow is given for him to bring his Council into this House, if he so will, at his own peril. And further it is resolved, that if the said *Ognell* shall not then bring his Council accordingly, this House will then further proceed for the behalf of the said Hospital as shall appertain without further delay.

The Bill to reform deceits and breaches of trust touching Lands given to Charitable uses, was read the first time.

On *Friday* the 13th day of *January*, Two Bills of no great moment had each of them one reading; of which the second being the Bill concerning *Garret de Malines*, and *John Hunger Merchants Strangers*, was upon the second reading committed unto the Knights and Burgesses of *London*, Mr. *Thomas Smith*, Sir *Walter Raleigh*, Mr. *Oldsworth* and others; and the Bill and Committees names were delivered to Sir *John Hart*, one of the Committees, who with the rest was appointed to meet upon *Monday* next at two of the Clock in the Afternoon in *Serjeants-Inn* in *Chancery-lane*.

Mr. *Oldsworth*, one of the Committees in the Bill for the erecting and building of a Bridge over *Wye* at *Wilton* upon *Wye*, near the Town of *Rosse* in the County of *Hereford* (who were ap-

pointed on *Monday* the 12th day of *December* foregoing) shewed the meeting and travel of the Committees, with some Amendments by them in the Bill, and so delivered in the said Bill into the said House.

Two Bills of no great moment had each of them one reading; of which the second being the Bill concerning the suppression of unlawful and unsized Bread, was upon the second reading committed unto the Knights and Citizens of *London*, Mr. *Edward Hubbard*, the Burgesses for *Chester*, *Worcester*; *Oxford*, *Bristol*, *Winchester* and *Cambridge*, Serjeant *Harris* and others, who were appointed to meet to Morrow in the Afternoon at two of the Clock at *Serjeants-Inn* in *Chancery-lane*, and the Bill and Committees names were delivered to Mr. Recorder of *London*.

The Learned Council on both Parties concerning the Bill for the Hospital of *Warwick* being present at the Bar, and heard at large, it was after sundry Arguments and Speeches both against the Bill and with the Bill Ordered upon the question to be ingrossed.

Sir *Walter Raleigh*, one of the Committees in the Bill against wandering Souldiers and Mariners, and for conferring some part of the same Bill, with the Lords Amendments and Provisoos in the Bill lately passed in this House Intituled, An Act for the erecting of Houses of Correction and punishment of Rogues, Vagabonds and Sturdy Beggars, shewed the meeting and travel of the Committees, and that they do think it convenient that some Conference be prayed with the Lords by this House as well touching some parts of their Lordships said Amendments and Provisoos, as of some parts of their Lordships said Amendments tending to the body of the said Bill: Upon which it was after some few Speeches had by some Members of this House concerning the said Motion, thought good to respite any further proceeding in the said Motion for Conference till to Morrow, in regard partly that another Conference is already appointed to be had this Afternoon with their Lordships at the Court by certain Committees of the House upon a former appointment.

Mr. *Finch*, one of the Committees in the Bill for Costs in a Prohibition (who were appointed on *Wednesday* the 11th day of this instant *January* foregoing) shewed the meeting and travel of the Committees, with some their Amendments to the Bill; and so delivered the Bill into the House; which Amendments being twice read, and the Bill after sundry Speeches further then also in some part altered, the Bill was upon the Question Ordered to be ingrossed accordingly.

Mr. *John Aston*, one of the Burgesses for *Droitwich* in the County of *Worcester*, is for his special business licensed by Mr. Speaker to depart.

On *Saturday* the 14th day of *January*, Two Bills of no great moment had each of them one reading; of which the second being the Bill to

reform deceits and breaches of trust touching Lands given to charitable uses was upon the second reading committed unto Mr. Serjeant *Harris*, Mr. Serjeant *Lewkenor*, Mr. Serjeant *Warberton*, the Knights and Burgesses for *London*, Mr. *Miles Sands*, Sir *Robert Wroth* and others; and the Bill and Committees names was delivered to Mr. Serjeant *Harris*, who with the rest was appointed to meet upon *Monday* next at two of the Clock in the Afternoon at *Serjeants-Inn* in *Chancery-lane*.

The Bill for the reviving, Continuation and Explanation and perfecting of divers Statutes was upon the second reading committed unto all the Privy-Council being Members of this House, Sir *Walter Raleigh*, Sir *Edward Hobby*, Mr. *Anthony Wildman*, Mr. Solicitor, Mr. *Francis Bacon*, Sir *George Carey*, Mr. *Fulk Grevill*, Sir *Oliver Lambert*, Mr. *Brograve*, Attorney of the Dutchy, with divers others, who were appointed to meet in the Exchequer Chamber upon *Tuesday* next at two of the Clock in the Afternoon.

Mr. Attorney General and Mr. Doctor *Stanhope* coming from the Lords, Mr. Attorney shewed, that whereas Yesterday in the Conference at the Court by the Committees of both Houses it pleased their Lordships to appoint him to deliver unto the Committees of this House such defects as their Lordships did conceive to be in the Bill lately passed in this House, for the increase of people for the service and defence of the Realm, which he then did so deliver accordingly; at which time the same was verbally answered but only by one of the said Committees of this House, and that also with protestation of no advantage to be taken thereby to the prejudice or hindrance of the Bill: At which time also, as it was prayed by the said Committees of this House, that their Lordships would vouchsafe to set down the said pretended defects in writing, and their Lordships then assented so to do; so their Lordships did now send down the same in writing unto this House accordingly. And so the said Mr. Attorney did deliver the same to Mr. Speaker, and then departed. *Vide January the 24th Tuesday postea.*

The Bill for *Arthur Hatch* her Majesties Ward for the enjoying of the Rectory and Parsonage of *South-Molton* in the County of *Devon*, for certain years reserving the usual rent, was read the third time and passed upon the Question.

Sir *Walter Raleigh* renewing the Motion for a Conference to be prayed with the Lords concerning their said Amendments and Provisoos in the Bill for erecting of Houses of Correction and punishment of Rogues and Sturdy Beggars, for the better reconciling of the same with the Bill now begun in this House against wandring Soldiers and Mariners, it was thereupon thought convenient by this House that he the said Sir *Walter Raleigh* accompanied with a convenient number of the Members of this House, should presently repair to the Upper House to move

for the said Conference accordingly.

Sir *Walter Raleigh* and the residue returning from the Lords, after the Bill to prevent double payment of Debts upon Shop-Books had been read the third time and passed the House, he shewed that they moved their Lordships for the said Conference on the behalf of this House, and that their Lordships have thereupon appointed six of themselves to meet for that purpose with a convenient number of the Members of this House upon *Monday* next at eight of the Clock in the Morning in the second Chamber of the Upper House: And did further shew unto this House, that when he and the residue (after the said Motion made unto their Lordships for the said Conference) did attend their Lordships Answer, and were called in to receive the same, their Lordships did then deliver the said Answer unto the said Members of this House at the Bar, not using any of their Lordships former and wonted courteous manner of coming down towards the said Members of this House to the Bar, but all of them sitting still in their great Estates very solemnly and all covered, the Lord Keeper sitting also still in like manner covered, delivered the said Answer unto the said Members of this House, to the great indignity of this House, and contrary to all former usage of their Lordships heretofore towards the Members of this House in like Cases accustomed. Whereupon their Lordships innovation being misliked of by sundry Members of this House very much, and in some part debated by them, for further resolution thereupon there were nominated and appointed for that purpose Mr. Comptroller, Sir *Walter Raleigh*, Mr. *Grevill*, Sir *Robert Wroth*, Sir *Oliver Lambert*, Mr. *Hext*, Mr. Chancellor of the Exchequer, Sir *Anthony Mildmay* with many others, who were appointed to meet this Afternoon at two of the Clock in *Serjeants-Inn* in *Chancery-lane*, to inform themselves in the said Cause against that time of Conference accordingly. *Vide on January the 12th Friday, residuum istius materie.*

Mr. *Bacon* reciting in part the proceedings Yesterday in the Conference with the Lords at the Court, and putting the House in mind of the Objections of the Lords, delivered this day in writing by Mr. Attorney General, moved for a Committee of some selected Members of this House to be nominated to confer and consider upon the said Objections for the better answering of the same to the maintenance of the Bill. Whereupon some desiring that the said Objections might be read, all was then further deferred till *Monday* next, the time being now far spent, and the House ready to rise.

On *Monday* the 16th of *January*, Two Bills had each of them one reading; of which the first being the Bill for explanation and addition of an Act of *Quinto Regine* for maintenance of the Navy, was read the first time.

The 31. Objections of the Lords touching the Bill lately passed in this House, and sent up to their

their Lordships, Intituled An Act for the increase of People for the service and defence of the Realm, were read to the House upon the Motion of M^r Francis Bacon, who after the reading of the aforefaid objections moved eftsoons for a Committee of some select Members of this House to have some speedy Conference together to their better maintenance of the said Bill, and answering or confuting the said Objections. Whereupon were nominated and appointed these following, viz. All the Privy Council being Members of this House, Sir Thomas Cecill, M^r Francis Bacon, M^r Solicitor, M^r Brograve, Attorney of the Dutchy, M^r Serjeant Warberton, M^r Serjeant Harries, M^r Serjeant Heyle, M^r Serjeant Lewkenor, M^r Serjeant Williams, M^r Miles Sands, M^r Francis Moore, M^r Combes, M^r Philips, Mr. Crew, Sir Walter Raleigh, Mr. Lawrence Hide, Mr. Yelverton, M^r Robert Wingfield, Mr. Wiseman, Mr. Recorder of London, Sir Anthony Mildmay, Sir Edward Hobby Sir Thomas Conisby, Mr. George Crooke and Mr. Humphrey Conisby, to meet this Afternoon at two of the Clock in the Exchequer Chamber for that purpose, and the Objections and Committees names were delivered to Mr. Comptroller. *Vide January* the twenty fourth.

Sir Edward Hobby moved that the Serjeant of this House be commanded to call *Leicester* to appear in the House for the serving of a *Subpœna* upon Sir Henry Norris, and also to warn one *Stevens*.

Whereupon Mr. Arnold moved for the like Order for a Privy Seal served upon him by a Member of this House Returnable into the Court of Wards. But what farther proceeding there followed in either of the matters is very negligently omitted in the Original Journal-Book of the House of Commons.

Mr. Wingfield, one of the Committees in the Bill for the due Execution of Ordinances made by Corporations (who were appointed on *Thursday* the 12th day of this instant *January* foregoing) shewed the meeting of the Committees, and their good liking of the Bill to pass as it is already framed; and so delivered in the Bill, and moved that it might be put to the question for the ingrossing, which was so done accordingly.

Mr. Serjeant Warberton, one of the Committees in the Bill for limitation of time for bringing of *Formedons* in the *Descender* and Writs of *Error* (who were appointed on *Wednesday* the 11th day of this instant *January* foregoing) shewed the Opinions of the Committees to be that the Bill is fit to be reserved till the next Parliament, and so delivered in the Bill.

Sir Edward Hobby, one of the Committees in the Bill for the Joynture of the Lady Sands (who were appointed on *Friday* the 16th day of *December* foregoing) moved for a new day to be appointed for the meeting of the Committees. Whereupon day was given upon *Wednesday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

The Bill for the relief of the Hundred of *Beynersh* aliàs *Benbersh* in the County of *Berks* was read the third time and passed upon the question.

Mr. Comptroller, one of the Committees of this House for Conference this present Morning with the Committees of the Lords touching their Lordships Amendments and Provisoos to the Bill lately passed th^{is} House, Intituled, An Act for the erecting of Houses of Correction and punishment of Rogues, Vagabonds and Sturdy Beggars (who were appointed on *Thursday* the 12th day of this instant *January* foregoing) shewed the travel of the Committees of this House with the Committees of the Lords in the said Conference at large, and so leaving the further consideration to the resolution of this House, the further reading of the said Provisoos was after sundry Speeches then had deferred till to Morrow.

Two Bills also had each of them one reading; of which the first being the Bill for the Hospital of *Warwick*, was read the third time and passed upon the question.

Mr. Serjeant Drew and Mr. Doctor Carew do bring word from the Lords, that their Lordships have given two readings to the Bill lately passed in this House and sent up to their Lordships concerning the establishment of the Possessions of the Bishoprick of *Norwich*; and that for the better expediting of the Bill, their Lordships do desire present Conference with a Committee of this House with six of their Lordships. Whereupon Mr. Brograve, Attorney of the Dutchy, Mr. Francis Bacon, Sir Edward Hobby, Sir William Cornwallis, Sir Robert Wroth, Sir William Moore, Mr. Miles Sands, Mr. Warner, Mr. Serjeant Warberton, Mr. Lieutenant of the Tower and Mr. Edward Hubbard were nominated and sent presently for that purpose accordingly.

Four Bills were sent up to the Lords from the House of Commons by Sir Tho. Cecill and others; of which one was the Bill to prevent the double payment of Debts upon Shop-Books.

The Bill that Sir Anthony Mildmay may dispose of his Lands intailed to him by Sir Walter Mildmay his Father, was upon the second reading committed unto Mr. Secretary, Mr. Chancellor of the Exchequer, Sir Thomas Cecill, Sir Edward Hobby, Mr. Solicitor, M. Philips, Mr. Serjeant Halle and others; and the Bill and Committees names were delivered to Mr. Chancellor of the Exchequer, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr. Serjeant Drew and Mr. Doctor Stanhop did bring from the Lords a Bill which lately passed in this House, and was sent up unto their Lordships, Intituled An Act for the repressing of Offences that are of the nature of Stealth, and are not Felonies by the Laws of the Realm, which Bill their Lordships have also passed with some Amendments.

On *Tuesday* the 17th day of *January*, Four Bills had each of them one reading; of which the last being the Bill for the assurance of the Joynture of *Joyce* the Wife of *John Thornbrigg* was read the second time, and upon the several questions was rejected.

The Bill to reform sundry abuses in the Garb-ling of Spices and Drugs, was read the second time and rejected upon the several questions for the committing and for the ingrossing.

Mr Serjeant *Drew* and Mr Doctor *Stanhop* did bring from the Lords a Bill concerning a Lease of great value procured to be passed from her Majesty by *William Kirkham* the Younger, which Bill their Lordships have passed, and do desire the speedy expediting thereof in this House, the same Bill greatly importing her Majesty. Whereupon the same Bill was presently read in this House for the first reading thereof accordingly.

The Amendments and Provisoos of the Lords to the Bill lately passed in this House, Intituled An Act for the erecting of Houses of Correction and punishment of Rogues, Vagabonds and Sturdy Beggars, being read for the third reading thereof, the Bill being put to the Question, and after sundry Speeches and Arguments first had both with the Bill and against the Bill, was dashed upon the division of the House, with the advantage and difference of forty Voices, viz. with the No a hundred and six, and with the Yea sixty six upon the doubtfulness of two several former questions for the passing thereof.

Mr Attorney General and Mr Doctor *Stanhop* do bring from the Lords a Bill lately passed in this House, Intituled An Act for the establishment of the Bishoprick of *Normich* and the Possession of the same, against a certain concealed pretended title made thereunto; and do shew that their Lordships have also passed the same Bill, with a Proviso thereunto added by their Lordships, and so delivered the Bill to Mr Speaker.

On *Wednesday* the 18th day of *January*, Eight Bills had each of them one reading; of which the first being the Bill for renewing, continuance and explanation of an Act for the necessary relief of Mariners and Souldiers was read the first time; And the last being the Bill to tax all Lands and Goods for the payment of the Subsidy in the same Parish where it lyeth, was read the first time, and rejected upon the Question for a second reading.

The Committees in the Bill to restrain the excessive making of Mault, (who were appointed on *Thursday* the 12th day of this instant *January* foregoing) and the Committees in the Bill to restrain deceits and breaches of Trust (who were appointed on *Saturday* the 14th day of this instant *January* foregoing) are appointed to meet in the Exchequer Chamber this Afternoon at two of the Clock.

Mr *Finch*, one of the Committees in the Bill against wandring Souldiers and Mariners (who were appointed on *Wednesday* the 7th day of De-

cember foregoing) shewed the meeting and travel of the Committees, and that they have made a new Bill for that purpose; and so delivering in both the old Bill and the new Bill, prayed the speedy expediting of the said new Bill. Whereupon the same Bill was then presently read for the first reading.

The Bill to enable *Thomas Knivet* Esquire to dispose of certain Lands Entailed to him by Dame *Anne Knivet* his Mother, was upon the second reading committed unto Mr. Serjeant *Williams*, Mr. Serjeant *Warberton*, Sir *Walter Raleigh*, Mr. *Brograve* Attorney of the Dutchy, and others; and the Bill and Committees names were delivered to Sir *Walter Raleigh*, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

The Bill for taking away of Clergy from Robbers of Houses in the day time though no person be in the House at the time of the Robbery, was upon the second reading referred to Sir *Robert Wroth*, Mr Serjeant *Hale* and others, to consider further for some Amendments in the same Bill presently in the Committee Chamber of this House.

The Bill for Explanation and Addition of an Act of 5^o *Regina* for the maintenance of the Navy, was upon the second reading committed unto Sir *Walter Raleigh*, Mr. *Henry Hubberd*, Mr. *Cole*, Mr. *Chapman*, Mr. Doctor *Cesar*, Mr. *Lemkenor* and others; and the Bill and Committees names were delivered to Mr. Doctor *Cesar*, who with the rest was appointed to meet in the Exchequer Court at two of the Clock in the Afternoon.

The Bill concerning Lessees and Patentees, with a Note of the Committees names, was delivered to the former Committees (who were appointed on *Saturday* the 3^d day of *December* foregoing) to be further considered by them concerning such their Amendments in the same Bill as have not yet been read in this House.

The Bill for confirmation of Ordinances made by Corporations was read the third time, and after sundry Speeches and Arguments both with the Bill and against the Bill, and upon some Motions to be made for the said Bill before it should be put to the Question for the passing, the question was first made for the said Amendments, and resolved both upon the question and also upon the division of the House with the difference and advantage of sixty five Voices, viz. with the Yea seventy, and with the No a hundred thirty five, that the Amendments should not be made to the said Bill; and then afterwards the said Bill being put to the question accordingly, the same Bill was dashed.

Mr Attorney General and Mr Doctor *Stanhop* coming from the Lords, Mr Attorney shewed, that their Lordships commanded him to signifie unto this House, that whereas their Lordships received a Bill from this House Intituled An Act for increase of people for the service and defence of the Realm, their Lordships having a very good liking

liking of the meaning and intent of the said Bill, and finding nevertheless sundry imperfections in the said Bill, have not only imparted those imperfections in a verbal Conference by a Committee of their Lordships unto a Committee of this House, but also did afterwards deliver the same in writing unto this House; since which time their Lordships have heard nothing thereof from this House; their Lordships do now desire to understand the further mind of this House touching the same Bill. Which Message being reported unto the House by Mr Speaker, and the said Mr. Attorney and Mr. Doctor Stanhop first sequestred, it was thereupon resolved by this House, that Answer should be made unto their Lordships, that this House hath not omitted any opportunity to consider of the said pretended imperfections for the further Answering of them with all possible Conveniency, and will signifie the same unto their Lordships with as convenient speed as they can. Which Answer for this time was immediately after delivered by Mr. Speaker unto the said Mr. Attorney and Mr. Doctor Stanhop to be returned unto their Lordships accordingly. *Vide Jan. 24. Tuesd. postea.*

On *Thursday* the 19th day of *January*, the Bill for reuniting the Mannor of *Paris Garden* in the County of *Surrey*, was upon the second reading committed unto Mr. Brograve Attorney of the Dutchy, Mr. Norton, Mr. Wiseman, Mr. Serjeant Williams, Mr. Edmund Boyer, and Mr. Francis More and others; and the Bill with the Committees names was delivered to Mr. Edmund Boyer, who with the rest was appointed to meet to Morrow in the Afternoon in the *Middle-Temple Hall* at two of the Clock.

The Bill for the repealing of a branch of a Statute made in the thirty fourth Year of King *Henry* the Eighth, Intituled, The Ordinance for *Wales*, was read the second time, and not being spoken against by any was Ordered to be ingrossed.

Mr Snagg, one of the Committees in the Amendments of the Bill for the reviving, continuing, explanation and perfecting of divers Statutes (who were appointed on *Saturday* the 14th day of this instant *January* foregoing) and in the Bill also for taking away of Clergy from Robbers of Houses in the day time though no person be in the House at the time of the Robbery done (who were appointed Yesterday) shewed the meeting and travel of the Committees, and sundry their Amendments and Additions to the said Bills at large, and so delivered in both the said Bills into the House accordingly.

Mr. Serjeant Harris, one of the Committees in the Bill to reform deceits and breaches of Trust (who were appointed on *Saturday* the 14th day of this instant *January* foregoing) shewed the meeting and travel of the Committees, and some their Amendments and Additions to the same Bill, which Amendments and Additions being twice read, the Bill was upon the Question Ordered to be ingrossed.

Mr. Francis Bacon, one of the Committees of this House to confer and consider of the 31. Objections of the Lords unto the Bill lately passed this House, Intituled, An Act for the increase of people for the service and defence of the Realm, shewed the meeting and travel of the Committees, and that they have set down in writing Answers to the same Objections ready to be presently sent to their Lordships if this House shall so think good, and so moved the present reading of the same Answers in this House. Whereupon the Clerk of this House did severally read all the said Objections; and the said Mr. Bacon did then also read every several Answer to the same Objections particularly and distinctly. Which being done, it was after some Motions and Speeches of sundry Members of this House resolved by this House, that the said Answer in writing should be sent up from this House to their Lordships presently by Mr. Comptroller, accompanied with a convenient number of the Members of this House, which was so done thereupon accordingly. *Vide* concerning this matter on *Tuesday* the 24th day of this instant *January* ensuing.

Mr. Brograve Attorney of the Dutchy, one of the Committees in the Bill for confirmation of the Jointure of *Christian Lady Sands* (who were appointed on *Friday* the 16th day of *December* foregoing) shewed the meeting and travel of the said Committees at large, and concluded with a Motion that the Council of both sides may be heard in this House for the better satisfaction of this House in the Cause. Whereupon it was Ordered that their Council should be heard in this House upon *Saturday* next accordingly, and both the Parties to have but one Council a-piece.

The Bill to take away future uses creating perpetuities of Lands was read the first time.

The Bill against the Excess of Apparel was upon the second reading committed unto all the Privy-Council being Members of this House, Sir *Walter Raleigh*, Sir *Edward Hobby*, Sir *Thomas Conisby*, Sir *Oliver Lambert*, Mr. *Telverton* and others; and the Bill and Committees names were delivered to Mr. Comptroller, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber. *Vide Febr. 7th.*

On *Friday* the 20th day of *January*, the Bill for the sale of the Lands and Goods of *John Sharp* to pay his Debts, was upon the second reading committed unto Sir *John Hart*, Mr. *Henry Hubberd*, Mr. *Nevill*, Mr. *Thomas Smith*, Mr. *Southerton*, Mr. *Colebrand* and others; and the Bill with the Committees names was delivered to Mr. *Southerton*, who with the rest was appointed to meet this Afternoon at two of the Clock in the *Middle-Temple Hall*.

The Bill that *Thomas Culpepper* and *John Culpepper* may dispose of their Lands whereof they are Tenants in Tail as other Tenants in Tail may do, was read the second time and committed to

Mr Barker, Mr. Serjeant Harris, Mr. Hide, Mr. Wiseman, Mr. Wingfield, Mr. Serjeant Williams, and Sir William Cornwallis; and the Bill and Committees names were delivered to the said Mr. Serjeant Williams, who with the rest was appointed to meet in the Middle-Temple Hall at two of the Clock this Afternoon.

Mr. Serjeant Harris, one of the Committees in the Bill that Lessees may enjoy their Leases (who were appointed on Saturday the 3^d day of December foregoing) and in the Bill concerning the suppressing of unlawful and unsized Bread (who were appointed on Friday the 13th day of this instant January foregoing) shewed the meeting and travel of the Committees in both the said Bills, and their Amendments in the Bill concerning Lessees and Patentees; which Amendments being then twice read, the Bill was upon the question Ordered to be ingrossed.

And further shewed, that the said Bill concerning the suppressing of unlawful and unsized Bread was in opinion of the said Committees fit to be reserved till another Parliament.

The Amendments and Proviso of the Lords to the Bill intituled An Act for the relief of the Poor being thrice read, the said Amendments were assented unto, and the said Proviso passed upon the question.

The Amendments of the Lords to the Bill intituled An Act for the Naturalizing of certain English mens Children and others born beyond the Seas being three times read, were assented unto by this House upon the question.

The Proviso of the Lords added to the Bill intituled An Act for the establishment of the Bishoprick of Norwich and the Possessions of the same against a certain pretended concealed Title made thereunto, being three times read, the same Proviso passed upon the question.

Three Bills also had each of them one reading; of which the last being the Bill to reform Deceits and Breaches of Trust touching Lands given unto Charitable Uses was read the third time, and passed upon the question.

The Amendments of the Lords in the Bill lately passed in this House intituled An Act for the representing of Offences that are of the nature of Stealth and are not Felonies by the Laws of the Realm, being thrice read, were assented unto by this House.

Four Bills were sent up to the Lords from the House of Commons by Mr. Comptroller and others; of which the first was the Bill for the establishment of the Bishoprick of Norwich, and the Possessions of the same against a certain pretended concealed Title; and the second was the Bill for *Arthur Hatch &c.* with two others of no great moment, which passed the House this present day; with further Order that this House desired some Conference with their Lordships for the further satisfaction of this House touching the said innovation of their Lordships said manner of their late giving Answer unto the Members of this House contrary to their Lordships former usage in such Cases heretofore.

The Bill for the most Commodious usage of Lands dispersed in Common Fields was read the second time, and rejected upon the several questions for the Committing and Ingrossing.

William Kirkham the younger was brought into this House to the Barr and heard at large; and resolved further by the House not to hear him any further nor any Counsel for him: Nevertheless to hear the Counsel to Morrow of such as pretend any interest under the title of *Kirkham* to any the Lands comprehended in the Lease mentioned in the Bill.

Mr Attorney General and Mr Doctor Stanhop do bring from the Lords a Bill lately passed in this House intituled An Act for the maintenance of Husbandry and Tillage, which Bill their Lordships have also passed with very many Amendments and with a Proviso. And shewed further, That their Lordships commanded him to shew unto this House, that their Lordships had very willingly yielded unto the Motion of this House made unto their Lordships this present day for Conference, and that their Lordships had for that purpose appointed the Number of twenty of themselves, and do desire that the same Conference may be had presently, if it shall so please this House. Which being done, and the said Mr Attorney and Mr Doctor Stanhop gone out of the House, It was resolved that a convenient number of this House should presently attend their Lordships in the said Conference. And the same being afterwards so signified unto the said Mr Attorney and Mr Doctor Stanhop, who were called again into this House to receive that answer, all the Privy Council being Members of this House, Sir *William Moore*, Mr *Fulk Grevil* and others being Members of this House were presently thereupon sent up unto their Lordships accordingly.

The Bill for the reviving, continuing and Explanation of an Act for the necessary relief of Mariners and Souldiers was upon the second reading committed unto the Committees in the Bill against the excess of Apparel (who were appointed yesterday foregoing) and to meet in the Exchequer Chamber at two of the Clock this Afternoon, and Mr *Arnold* was now added to the same Committee.

The Amendments of the Committees in the Bill for taking away of Clergy from Robbers of Houses in the day-time though no body be in the House at the time of the Robbery done, being twice read, the Bill was upon the question Ordered to be ingrossed.

The Bill to prohibit the carrying of Herrings was upon the second reading committed unto Mr *Walgrave*, Mr *Oldsworth*, Mr *Edward Lemkenor*, Mr *Wiseman* and others, who were appointed to confer presently in the Committee Chamber of this House.

Mr Comptroller and the residue returning from the Lords, Mr Secretary shewed that in the debate of the but touching what business this Report was made by

by Mr Secretary, or what that business was, is every negligently omitted by *Fulk Onslow* Esq; Clerk of the House of Commons, in the Original Journal-Book it self of that House, although a whole blank Page be there left with intention doubtless at first to have inserted it: And therefore it shall not be amiss here in some sort to set it down, partly out of some former passages of the said Journal Book, and partly out of the Original Journal-Book of the Upper House. And first for the business it self, it was grounded upon some distaste that Sir *Walter Raleigh* and other Members of the House of Commons had received from the Carriage of the Lords towards them in not rising unto them upon the delivery of an Answer to a certain Message brought up by them to their Lordships on *Saturday* the 14th day of this instant *January* foregoing, as is there set down at large. To which said distaste of theirs the Lords did this present *Friday*, being the 20th day of the same Month, in the Conference had between the Committees of either House, desire to make satisfaction according to the resolution had by their Lordships in their own House Yesterday being *Thursday*. Which said Resolution or Answer of their Lordships was as it should seem now reported unto the House of Commons by Mr Secretary *Cecill* upon his return with the other Committees from the said Conference, and is set down upon the said *Thursday* being the 19th day of the said instant *January* in the above-mentioned Original Journal-Book of the Upper House much to the purpose and effect following, *viz.*

That their Lordships Answer was, that in the delivery of the said Message unto the said Sir *Walter Raleigh* and others the said Members of the House of Commons, upon *Saturday* the 14th day of this instant *January* last past, their Lordships had not given unto them the said Members of the said House any just distaste, or therein offered unto the said House of Commons it self any indignity at all; but that their Lordships had therein observed the ancient Order of Parliament, which they were fully satisfied to be as followeth, *viz.*

That when any Bills or Messages are brought from the House of Commons to be presented to the Upper House, the Lord Keeper and the rest of the Lords are to arise from their places and go down to the Bar, there to meet such as come from the House of Commons, and from them to receive in that place their Messages or Bills: But contrariwise, when any Answer is delivered by the Lord Keeper in the name and behalf of the House, to such Knights and Burgesses as come from the House of Commons, the said Knights and Burgesses are to receive the same standing towards the lower end of the House without the Bar, and the Lord Keeper is to deliver the same sitting in his place with his head covered, and all the Lords keeping their places. And hereupon the House of Commons was satisfied, and the same form was afterwards kept accordingly.

Nota, That this little foregoing Passage only is supplied out of the Original Journal-Book of the Upper House, and now what ensueth is again inserted out of that of the House of Commons.

On *Saturday* the 21th day of *January*, Two Bills of no great moment had each of them one reading; of which the last was the Bill for restraint of carrying of Corn or Grain out of this Realm at certain times.

Mr *Francis Goodwin*, one of the Committees in the Bill for establishing certain Lands given by Will for the maintenance of the High-ways at *Ailesbury* in the County of *Buckingham* (who were appointed on *Wednesday* the 11th day of this instant *January* foregoing) brought in the Bill with some Amendments, which being twice read, the Bill was upon the Question Ordered to be ingrossed.

Mr *Walgrave*, one of the Committees in the Bill to prohibit the carrying of Herrings beyond the Seas (who were appointed Yesterday) shewed the meeting of the Committees and their Amendments of the Bill, which Amendments being twice read, the Bill was upon the question Ordered to be ingrossed.

The Bill that the Plaintiffs shall pay the Defendants their Costs by lying in Prison for want of Bayl if the Action pass against the Plaintiffs, and for the punishment of wrongful Arrests upon forged Warrants, was read the first time.

Mr *Sollicitor*, one of the Committees in the Bill for the reviving, continuance, explanation and perfecting of divers Statutes (who were appointed on *Saturday* the 14th day of this instant *January* foregoing) shewed the meeting and travel of the Committees and some their Amendments in the same Bill; which Amendments being twice read to the House, it was after many Motions and Speeches for recommitment of the same Bill Ordered upon the Division of the House in the doubtfulness of two former Questions with the advantage of thirty Voices, *viz.* with the No an hundred twenty four, with the Yea ninety one, that the said Bill should not be re-committed: And afterwards upon another Question it was Ordered that the said Bill should be ingrossed.

The Lord *Sandes* and Sir *Walter Sandes* with their Council were present here in this House at the Bar and heard at large touching the Bill for the Confirmation of the Jointure of *Christian Lady Sandes* (which had been read the second time and committed on *Friday* the 16th day of *December* foregoing.) *Vide January* 24. *Tuesday* *postea*.

The Bill against lewd and wandring persons pretending themselves to be Souldiers or Mariners was read the third time, and after many Speeches and Arguments, some with the Bill and some against the Bill, was in the end put to the Question, together with a Proviso added thereunto and three times read, and so passed accordingly.

Mr. *Edward Hubberd*, one of the Committees in the Bill to restrain the excessive making of Mault and disorderly Brewing of strong Beer (who were appointed on *Thursday* the 12th day of this instant *January* foregoing) shewed the meeting and travel of the said Committees with some their Amendments to the said Bill, and so delivered in the Bill to the House.

On *Monday* the 23th day of *January*, Three Bills of no great moment had each of them one reading; of which the third being the Bill for Explanation of a Saving in a Statute made *xxvii^o Reg. Eliz.* Intituled, An Act for the better foundation and relief of the Poor of the Hospital of *Eastbridge* in the County of *Canterbury*, was read the second time and rejected upon the several Questions for the committing and ingrossing.

Sir *John Hart*, one of the Committees in the Bill concerning *Garret de Malines* and *John Hunger Merchants Strangers* (who were appointed on *Friday* the 13th day of this instant *January* foregoing) shewed the meeting and travel of the Committees, and their making of a new Bill for sundry considerations then opened by him, and so delivered in both the old Bill and the new Bill.

The Bill for the better measuring of seven Miles from the Town of *Great-Tarmonth*, according to a Statute made in the thirtieth Year of King *Edward* the Third, was upon the second reading committed unto Mr. Comptroller, Mr. Chancellor of the Exchequer, Mr. *Brograve* Attorney of the Dutchy, Mr. *Maynard*, Mr. *Fulk Grevill*, Mr. *Walgrave* and others; and the Bill with the Committees names was delivered to the said Mr. *Fulk Grevill*, who with the rest was appointed to meet to Morrow in the Afternoon at two of the Clock in the Exchequer Chamber.

Mr. *Shirley*, one of the Committees in the Bill for the sale of the Lands and Goods of *John Sharp* to pay his Debts (who were appointed on *Friday* the 20th day of this instant *January*) shewed the meeting and travel of the Committees with some their Amendments to the same, and so delivered in the said Bill to the House.

The Bill for reviving, continuance, explanation and perfecting of divers Statutes was read the third time and passed upon the Question.

Five Bills were sent up to the Lords from the House of Commons by Mr. Comptroller and others; of which one was the Bill against lewd and wandring persons pretending themselves to be Souldiers and Mariners, and another for the Naturalizing of certain Englishmens Children and others born beyond the Seas.

The Amendments and Provisoes of the Lords in the Bill for the maintenance of Husbandry and Tillage lately passed this House being three times read, the said Amendments were assented unto and the said Proviso passed upon the Question.

The Bill that Lessees may enjoy their Leases against all Patentees their Heirs and Assigns, not-

withstanding any default of payment of their Rent during the time that the Reversion or Inheritance remained in the Crown, was read the third time and passed upon the Question.

The Bill for reviving, continuance, explanation and perfecting of divers Statutes, and the Bill that Lessees may enjoy their Leases against all Patentees, their Heirs and Assigns, notwithstanding any default of payment of their Rents during the time that the Reversion or Inheritance remained in the Crown, were sent up to the Lords by Mr. Secretary and others.

Mr. Serjeant *Drew* and Mr. Doctor *Carew* did bring word from the Lords, that whereas a Bill lately passed in this House was sent up unto their Lordships Intituled An Act for the increase of People for the service and defence of the Realm, and their Lordships had thereupon caused the same Bill first to have two readings in the Upper House, and finding many imperfections in the same Bill, yet their Lordships very well liking of the intent and scope of the said Bill and the good furtherance thereof, moved for Conference with some of the Members of this House touching the said Bill, wherein the said imperfections were first imparted by their Lordships unto the Committees of this House in a Verbal Conference, and afterwards sent down by their Lordships to this House in writing; and Answers thereupon returned by this House to their Lordships in writing, to the same imperfections; their Lordships very much affecting the purport and true meaning of the said Bill, and wishing all good furtherance therein, do desire that a convenient number of selected Members of this House may be appointed to have Conference with six of their Lordships touching this matter to Morrow at eight of the Clock in the Morning in the Chamber next the Upper House: And do also desire, that a convenient number of the Members of this House may be in like manner appointed to meet with their Lordships to Morrow at two of the Clock in the Afternoon in the Great Council-Chamber at the Court for Conference touching the Bill passed by their Lordships and sent down by them unto this House, Intituled An Act for the better Explanation and Execution of the Act made in the thirteenth year of the Queens Majesties Reign *Cap. 4^{to}* concerning Tellors, Receivers, &c. Whereupon Mr. Comptroller, Mr. Secretary, Mr. Chancellor of the Exchequer, Mr. *Francis Bacon*, Mr. *Brograve* Attorney of the Dutchy, and all the Serjeants at Law being Members of this House, Mr. Recorder of *London*, Mr. *George Moore*, Mr. *Telverton*, Sir *Walter Raleigh*, Mr. *Fulk Grevill*, Sir *Thomas Cecill* and Mr. Attorney of the Court of Wards, were nominated and appointed to attend their Lordships to Morrow in the Morning at eight of the Clock in the Chamber next to the Upper House accordingly.

The former Committees of this House in the said Bill concerning Tellors, Receivers, &c. (who were appointed on *Monday* the 5th day of *December*

ember foregoing) were this day likewise appointed to attend their Lordships to Morrow at two of the Clock in the Afternoon at the said great Council Chamber at the Court. *Vide* concerning this Matter, as also touching the Bill for Increase of People, &c. on *Tuesday* the 24th day of this instant *January* immediately ensuing.

The Amendments in the Bill to restrain the excessive making of Mault and disorderly brewing of strong Beer being twice read, the Bill was after many Speeches and Arguments both with the Bill and against the Bill ordered upon the question to be ingrossed.

On *Tuesday* the 24th day of *January* the Bill concerning *Garret de Malins* and *John Hunger* Merchants-Strangers had its first reading, being a new Bill, and was brought in by the Committees of the old Bill, who were appointed on *Friday* the 13th day of this instant *January* foregoing, and had thought fit that the said old Bill should be rejected.

The new Bill also for the disposing of certain Lands to *M^r Thomas Knivet*, was read the first time (after that the old Bill had been rejected by the Committees thereof, who were appointed on *Wednesday* the 18th day of this instant *January* foregoing.)

The Bill for Confirmation of the Joynture of *Mary Lady Verney* was upon the second reading committed unto *M^r Philips*, *M^r Sands*, *M^r Francis Goodwin*, *M^r Snagg*, *M^r Ogleshorpe* and others; and the Bill with the Committees names were delivered to *M^r Snagg*, who with the rest were appointed to meet at four of the Clock this Afternoon in the *Middle-Temple Hall*.

The Bill for establishing an Award made between *Edmund Cotten* Gentleman and *Thomas Harvey* Yeoman for the assurance of certain Lands in the County of *Norfolk* to *Thomas Bennet* and his Heirs for ever, was read the third time and passed upon the question, the learned Counsel on both sides being first heard at large at the Bar.

After sundry long Speeches by divers Members of this House in the Bill for Confirmation of the Joynture of *Christian Lady Sands* both with the Bill and against the Bill, with some motions for having the matter between the Lord *Sands* and *Sir Walter Sands* referred to Arbitrement or Compromise, it was at last resolved upon the question, that according to the said Motions the said course should be taken for Compromise accordingly, and the said Parties should become bound each to other for the performance of such Award or Arbitrement as should be made by Arbitrators to be named by this Court; And further, that the said Lord *Sands* and *Sir Walter Sands* be warned to be here in this Court to Morrow to understand the purpose of this House in that behalf accordingly. *Vide* concerning this matter on *Saturday* the 21. day of this instant *January* foregoing. *Vide etiam diem sequentem.*

M^r Comptroller shewed that himself and the residue of the Committees appointed by this

House for Conference with the Lords touching the Bill intituled An Act for the increase of People for the service and Defence of the Realm, have attended their Lordships this Morning according to the Charge of this House given to him and the residue of the Committees for that purpose. And further shewed, that their Lordships having perused and considered the Answer of this House in writing to their Lordships Objections in writing delivered by them to this House, their Lordships cannot give passage to the said Bill: But liking very well of the purpose and intent of the said Bill, their Lordships do wish another Bill to be drawn and proceeded in to the said effect in some good course; and do purpose to send down unto this House to Morrow Morning some points or heads in writing for that purpose. *Vide* touching this business on *Thursday* the 12th day, *Saturday* the 14th day, *Monday* the 16th day, *Wednesday* the 18th day, *Thursday* the 19th day, and on *Monday* the 23^d day of this instant *January* foregoing. *Vide itidem diem sequentem.*

On *Wednesday* the 25th day of *January* *M^r Snagg* one of the Committees in the Bill for Confirmation of the Joynture for the Lady *Mary Verney* wife of *Sir Edmund Verney* Knight (who were appointed on the day foregoing) shewed the meeting and travel of the Committees, and some few Amendments in the same Bill, and so delivered in the Bill.

Two Bills of no great moment had each of them one reading; of which the second being the Bill for the avoiding of deceit in Measure and Weights, was read the first time.

The Committees in the Bill for the better measuring of seven Miles from the Town of great *Tarmouth* (who were appointed on *Monday* the 23^d day of this instant *January* foregoing) are ordered to meet at two of the Clock this Afternoon in the Exchequer Chamber.

The Committees in the Bill also for reviving, continuing and explanation of an Act for the necessary relief of Souldiers and Mariners are likewise to meet this Afternoon at two of the Clock in the Exchequer Chamber.

The Bill for the better Execution of Judgments was upon the second reading committed unto *M^r Brograve* Attorney of the Dutchy, *M^r Finch*, *M^r Telverton*, *Mr. Carew*, *Mr. Francis Bacon* and others; and the Bill and Committees names were delivered to the said *Mr. Carew*, who with the rest was appointed to meet this Afternoon at two of the Clock in *Graves-Inn Hall*.

The Amendments in the Bill for erecting and building of a Bridge over the River of *Wye* at *Wilton* upon *Wye* near the Town of *Rosse* in the County of *Hereford* being twice read, the same was upon the question ordered to be ingrossed.

The Amendments in the Bill for Confirmation of the Jointure of the Lady *Verney* Wife of *Sir Edmund Verney* Knight, being twice read, the Bill was upon the Question ordered to be ingrossed.

The Amendments in the Bill for the reuniting of the Mannor of *Paris Garden* in the County of *Surrey* being twice read, the Bill was upon the question Ordered to be ingrossed.

Two Bills also had each of them one reading; of which the second being the Bill to restrain the excessive making of Mault, was read the third time, and after sundry Arguments both with the Bill and against the Bill, and certain words stricken out in the first Proviso, in one place thereof the word [such] and in another place thereof these words [or Maults for his own expences only] passed upon the Question.

Mr. Attorney General and Mr. Doctor *Stanhop* do bring word from the Lords, that whereas a selected number of their Lordships in a Verbal Conference with a Committee of some of the Members of this House concerning a Bill lately passed in the Upper House and sent down by their Lordships unto this House, Intituled An Act for the better Explanation and Execution of the Act made in the thirteenth year of the Queens Majesties Reign concerning Tellors, Receivors, &c. divers exceptions were then taken by the Committees of this House unto the said Bill, and were afterwards sent up to their Lordships by this House in writing; with which said Exceptions their Lordships not being satisfied, have sent down unto this House their Lordships Answer unto the same also in like manner in writing: And so did then deliver the same to Mr. Speaker and departed. Which Message being reported unto the House by Mr. Speaker, it was resolved, that the former Committees of this House in that Cause (who were appointed on *Monday* the 5th day of *December* foregoing) with some others then added unto them, should meet this Afternoon at two of the Clock in the Exchequer Chamber to confer and consider of their Lordships said Answer in writing accordingly.

The Lord *sands* and Sir *Walter Sands* being present in this House, Mr. Speaker imparted unto them the Motion of this House for compromising the Cause. Whereunto the Parties assenting, after either of them had been heard speak severally their further minds unto this House in some particulars, the said Lord *Sandes* made choice of the Earl Marshal and of Mr. Comptroller, and the said Sir *Walter Sandes* made choice of Mr. Secretary and Mr. Chancellor of the Exchequer for the said Compromise. Whereupon the Earl Marshal after his pleasure first signified unto this House, the meeting of the same Committees was then appointed to be at the Court to Morrow in the Afternoon. *Vide* concerning this matter on *Saturday* the 21th day, *Monday* the 23th day, and on *Tuesday* the 24th day of this instant *January* foregoing.

Four Bills were sent up to the Lords from the House of Commons by Mr. Comptroller and others; of which the second was the Bill to prohibit the carrying of Herrings, and the third to retain the excessive making of Mault.

Mr Serjeant *Lewkenor*, one of the Committees of

this House for the late Conference with the Committees of the Lords upon *Monday* last in the Morning concerning the Bill for increase of people for the service and defence of the Realm, did bring from the Committees of the Lords certain Articles or Heads in writing unto this House, for the framing of a new Bill to the purpose presently of the old Bill, though not in that form, to the end their Lordships may understand the opinion and liking of this House touching the same Articles or Heads; and so delivered in the same Articles in writing into this House. Whereupon after many Speeches and Arguments by divers Members of this House for the reading or not reading, for the committing or not committing of the said Articles, *pro & contra*, it was at last resolved upon the question, that the said Articles should be read, and so they were thereupon read accordingly. Which done, after some further debating for the retaining or the returning of the same Articles, and for Answer therein to their Lordships, it was Ordered, that the said Mr Serjeant *Lewkenor* should presently himself alone go and deliver the said Articles again unto such of the said Lords Committees as he had first received them of; signifying for Answer only, that they had been read in this House, and no more. *Vide* concerning this matter on *Thursday* the 12th day, on *Saturday* the 14th day, on *Monday* the 16th day, on *Thursday* the 19th day, on *Monday* the 23th day, and on *Tuesday* the 24th day of this instant *January* foregoing.

Mr *Finch*, one of the Committees in the Bill against excess of Apparel (who were appointed on *Thursday* the 19th day of this instant *January* foregoing) shewed the meeting and travel of the Committees and some of their Amendments in the same Bill, and likewise their framing of a new Bill to avoid the great excess used in wearing of Ruffs. And so delivered in both the said Bills into this House.

On *Thursday* the 26th day of *January*, Two Bills had each of them one reading; of which the second being the Bill concerning *Garret de Malynes* and *John Hunger* Merchant Strangers, was read the second time, and Ordered upon the Question to be ingrossed.

Mr *Arnold*, one of the Committees in the Bill for the reviving, continuing and explanation of an Act for the necessary relief of Mariners and Souldiers, prayed a new day of meeting for the Committees in that Bill. Whereupon Mr *Arnold*, Sir *Henry Norris*, Sir *Giles Merrick*, Sir *Oliver Lambert*, the Knights and Burgesses for *London*, Mr *Hext*, Mr *Wiseman*, Mr Doctor *Sands*, Mr *Cole*, Sir *Thomas Conisby*, Mr *Harper*, Sir *Francis Hastings*, Mr *Snagg*, Mr *James Harrington*, Sir *Francis Popham* with many others, who were nominated and appointed to meet this Afternoon at two of the Clock in the *Middle-Temple* Hall.

The Bill for the setting and disposing of certain Lands of Mr *Thomas Knivets* was read the second time, and Ordered upon the Question to be ingrossed.

Two Bills also had each of them one reading; of which the last being the Bill for further Ceremony and Credit to be required for Mills, was read the second time, and upon the Question for the Commitment thereof was upon the division of the House Ordered not to be committed, with the advantage of forty six Voices, with the No a hundred and forty, and with the Yez ninety four, and afterwards upon another question for the ingrossing was Ordered to be ingrossed.

Mr Serjeant *Drew* and Mr. Doctor *Carew* did bring from the Lords a Bill passed with their Lordships, Intituled An Act for the reforming of sundry abuses committed by Souldiers and others, used in her Majesties Services concerning the Wars.

The Learned Council of certain persons pretending interest under the title of *William Kirkham* the Younger, to some of the Lords comprehended in the Lease mentioned in the Bill, were this day heard at large in this House, and were appointed to prepare their Provisoos to be offered unto the Bill against to Morrow.

Mr. Serjeant *Drew* and Mr. Doctor *Stanhop* did bring from the Lords a Bill passed with their Lordships Intituled An Act for punishment of Rogues, Vagabonds and Sturdy Beggars.

The Bill for the reforming of sundry abuses committed by Souldiers and others used in her Majesties Services concerning the Wars, was read the first time.

On *Friday* the 27th day of *January*, the Bill that Plaintiffs shall pay the Defendants their Costs lying in Prison for want of Bayl if the Action pass against the Plaintiff, was read the second time and committed unto Mr. *Sands*, Mr. *Boyes*, Mr. *Snagg*, Mr. *George Crooke*, Mr. Recorder of *London* and others, who were appointed to meet this Afternoon at two of the Clock in the *Middle-Temple* Hall.

The Committees likewise in the Bill for the execution of Judgment (who were appointed on *Wednesday* the 25th day of this instant *January* foregoing) and the Committees in the Bill for avoiding of deceits in measures and weights, were likewise appointed to meet at the same time and place, which was now upon the second reading committed to the former Committees in the Bill that the Plaintiffs shall pay the Defendants their Costs, and Mr. *Johnson* was added unto them.

The Bill for punishment of Rogues, Vagabonds and Sturdy Beggars, was read the first time.

The Amendments in the Bill for Explanation and Addition of an Act of *quinto* *Regin. Eliz.* for maintenance of the Navy being twice read, the Bill was rejected upon the question for ingrossing.

Two Bills of no great moment had each of them one reading; of which the second being the Bill to give some remedy against the decay and spoil of the Queens Majesties Highways in the Counties of *Suffex*, *Surrey* and *Kent* through

disorderly carrying to Iron Forges and Furnaces, was read the second time and committed to the Knights of those three Shires, Mr. *Shirley*, Mr. *Binley*, Mr. *Oglethorp*, Mr. *Colebrand*, Mr. *Edward Lewkenor* and others; and the Bill and Committees names were delivered to the said Mr. *Colebrand*, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in the *Middle-Temple* Hall.

The Bill for Reformation of sundry abuses committed by Souldiers and others used in her Majesties Services concerning the Wars, was upon the second reading committed unto Mr. *Grevill*, Sir *Robert Wroth*, Sir *Walter Raleigh*, Mr. *Henry Nevill*, Sir *George Carey*, Mr. *Brograve* Attorney of the Dutchy, and divers others; and the Bill and Committees names were delivered to Sir *Walter Raleigh*, who with the rest was appointed to meet to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr. Serjeant *Drew* and Mr. Doctor *Stanhop* did bring from the Lords a Bill lately passed in this House, Intituled An Act to reform deceits and breaches of trust touching Lands given to Charitable uses, and did shew that their Lordships have likewise passed the same Bill with a Proviso and some Amendments.

The Amendments and Provisoos of the Lords to the Bill lately passed in this House, Intituled An Act to reform deceits and breaches of trust touching Lands given to Charitable uses, being three times read, the said Amendments were assented unto by this House, and the said Proviso passed upon the Question accordingly.

The Bill concerning the Highway Lands of the Town of *Aylesbury* in the County of *Buckingham* was read the third time, and upon some Motions by some Members of this House was Ordered to be respited from being put to the Question till to Morrow, that the Council of the other sides may be here.

Mr Doctor *Carew* and Mr Doctor *Stanhop* did bring from the Lords the Bill lately passed in this House Intituled An Act against lewd and wandring persons pretending themselves to be Souldiers and Mariners: And did shew in like manner, that their Lordships had passed the same Bill with some Amendments.

The Amendments of the Lords in the Bill lately passed in this House Intituled An Act against lewd and wandring persons pretending themselves to be Souldiers and Mariners, being three times read, the same Amendments were upon the question assented unto accordingly.

The Committees of this House in the Bill from the Lords Intituled An Act for the better Explanation and Execution of an Act made in the thirteenth year of the Queens Majesties Reign *Capite quarto*, concerning Tellors, Receivors, &c. (who were appointed on *Wednesday* the 18th day of this instant *January* foregoing) were appointed to meet this Afternoon in the Exchequer Chamber at two of the Clock, and have further consideration and Conference amongst themselves touching

touching the proceeding in the same Bill.

On *Saturday* the 28th day of *January*, the Bill for punishment of Rogues, Vagabonds and Sturdy Beggars was read the second time and committed unto some Members of this House to be considered of in the Committee Chamber of this House.

The Bill for Confirmation of the Jointure of *Mary Lady Verney* Wife of *Sir Edmund Verney* K^t, was read the second time and passed upon the Question.

Goodale, one of the adverse Parties to the Bill concerning the Highway Lands of the Town of *Aylesbury* being present in this House and praying some words to be inserted into the said Bill, which being upon due and deliberate consideration of this House admitted to be inserted accordingly, and three times read, the Bill was put to the question, and passed thereupon accordingly.

Mr. Pembroke, one of the Committees in the Bill for reviving, continuing and explanation of An Act for the necessary relief of Mariners and Souldiers (who were appointed on *Thursday* the 26th day of this instant *January* foregoing) shewed the meeting and travel of the Committees and some their Amendments to the Bill, and so delivered in the Bill to the House.

The Bill for punishment of Rogues, Vagabonds and Sturdy Beggars was read the third time and passed with an Amendment of this House in the last line of the same Bill, *viz.* by inserting these words [end of the] between the first word [the] and the word [first] in the same line.

Mr. Serjeant Drew and *Mr. Doctor Cary* did bring from the Lords a Bill passed with their Lordships, intituled An Act against the decaying of Towns and Houses of Husbandry; and another Bill which lately passed in this House, and was sent up to their Lordships, intituled An Act for the lawful making of Bayes within the Counties of *Essex* and *Suffolk*; which Bill is also passed with their Lordships, with a Proviso added to the same by their Lordships; which said Proviso being three times read, was passed upon the question.

The Bill against the decaying of Towns and Houses of Husbandry had its first reading.

On *Monday* the 30th day of *January* the Bill concerning *Garret de Malynes* and *John Hunger* Merchant Strangers was read the second time.

There were seven Bills this Morning sent up to the Lords from the House of Commons by *Mr. Secretary* and others; of which the first was the Bill for Punishment of Rogues, Vagabonds and Sturdy Beggars; the second for the lawful making of Bayes; And the third was the Bill to reform deceits and breaches of trust touching Lands given to Charitable uses: with order also to move their Lordships for Conference some time after this present day with their Lordships, concerning the Bill lately passed with their Lordships, and sent down by them unto this House, intituled An Act to reform sundry

abuses committed by Souldiers and others used to her Majesties services concerning the Wars.

Mr. Chancellor of the Exchequer, one of the Committees for Conference amongst themselves concerning the Bill intituled An Act for the better Explanation and Execution of the Act made in the 13th year of the Queens Majesties Reign *Cap. quart.* concerning Tellors and Receivors, &c. shewed the meeting and travel of the Committees, and their not liking to pass the same Bill in this House in manner and form as the same was passed with the Lords, in regard of many inconveniencies appearing in the same Bill, which were then opened by him at large: And shewed further, that they thought good to frame a new Bill in that Cause with a better and more reasonable form; and so delivered in the same Bill, which was thereupon presently read for the first reading accordingly.

Mr. Snagg one of the Committees in the Bill that the Plaintiffs shall pay the Defendants Costs lying in Prison for want of Bail (who were appointed on *Friday* the 27th day of this instant *January* foregoing) and in the Bill to avoid deceits in Measures and Weights, shewed the meeting and travel of the Committees with their Amendments to the said Bill to avoid deceits in Measures and Weights, and their opinion of reserving the said other Bill till another Parliament, and so delivered in both the said Bills into the said House.

Mr. Doctor Carew and *Mr. Doctor Stanhop* did bring from the Lords a Bill intituled An Act for the Confirmation of Statutes Merchants acknowledged in the Town Corporate of *Newcastle* upon *Tyne*.

The Bill against the decaying of Towns and Houses of Husbandry was read the second time, and committed unto the former Committees in the Bill for reforming of sundry abuses by Souldiers and others used in her Majesties service concerning the Wars (who were appointed on *Friday* the 27th day of this instant *January* foregoing) and to meet this Afternoon at two of the Clock in the Exchequer Chamber, as in the said other Bill is likewise appointed; and the Bill and Committees names were delivered to *Mr. Chancellor* of the Exchequer.

Mr. Secretary and the residue returning from the Lords, he shewed their delivering both of their Bills and of the message of this House unto their Lordships, as he had in charge by this House to do And further shewed, that their Lordships have appointed twenty of themselves to meet with a convenient number of the Members of this House for the Conference in the great Council Chamber at the Court at two of the Clock in the Afternoon concerning the said Bill intituled An Act for the reforming of sundry abuses by Souldiers and others used in her Majesties services concerning the Wars.

The Bill for Confirmation of the Joynture of *Christian Lady Sands* was read the third time.

Two Provisoes ingrossed in Parchment being offered

offered unto this House by the Lord *Sands* to be added to the said Bill, were twice read, and upon the second reading of the same Provisoos it was Ordered after many and sundry Arguments and Speeches of divers Members of this House, that the same Provisoos should be committed unto Mr. Comptroller, Mr. Chancellor of the Exchequer, Mr. *Brograve* Attorney of the Dutchy, Mr. Solicitor, Mr. Serjeant *Williams*, and others; and the Provisoos were delivered to Mr. Solicitor, who with the rest was appointed to meet to Morrow at eight of the Clock in the Afternoon in the Committee Chamber of this House. *Vide* concerning this matter on *Saturday* the 21th day, and on *Tuesday* the 24th day of this instant *January* foregoing.

On *Tuesday* the 31th day of *January* the Bill for Confirmation of Statutes Merchants acknowledged in the Town Corporate of *Newcastle* upon *Tyne*, was read the first time.

The Amendments in the Bill for reviving, continuing and Explanation of an Act for the necessary relief of Mariners and Souldiers being twice read, the Bill was upon the question Ordered to be ingrossed.

The Amendments in the Bill for avoiding deceits in Measures and Weights were twice read, and after some Speeches had by sundry Members of this House touching the same Bill *pro & contra*, the Learned Council of the Clerk of the Market being upon a motion of some of this House admitted to be heard at the Bar, and called for that purpose by the Serjeant of this House to come in, the Serjeant shewed that the said Clerk of the Market was gone down into the Hall to fetch his said Council, in the mean time whereof the House entred into another Cause, and the said Bill was thereupon committed to be put to the question for ingrossing.

The Bill for the more speedy payment of the Queens Majesties debts and for the better explanation of the Act made in the 13th year of the Queens Majesty, intituled An Act to make the Lands, Tenements, Goods and Chattels of Tellors, Receivers, &c. lyable to the payment of their debt, was read the second time and committed unto the former Committees, and Sir *Walter Raleigh*, Mr. *Fulk Grevil*, Mr. *Swayne*, Sir *Anthony Mildmay*, Sir *Anthony Cope* and others were added to them; and the Bill with the Committees names was delivered to Mr. Solicitor one of the said former Committees, who with the rest was appointed to meet to Morrow at four of the Clock in the Star-Chamber in the Afternoon.

Mr. *Fulk Grevil* one of the Committees in the Bill for the better measuring of seven Miles from the Town and Haven of *Great Yarmouth* in the County of *Norfolk* (who were appointed on *Monday* the 23^d day of this instant *January* foregoing) shewed the meeting of the Committees, and that they cannot agree upon any thing touching the said Bill; and so delivered in the same Bill in such manner as he before received the same out of this House.

Mr. *Sherley* one of the Committees in the Bill concerning the high-ways in *Sussex*, *Surrey* and *Kent* (who were appointed on *Friday* the 27th day of *January* foregoing) shewed the meeting and travel of the Committees with some their Amendments in the same; and so delivered in the said Bill.

The two Provisoos to the Bill for Confirmation of the Joynture of *Christian Lady Sands* being returned to the House by the Committees and read the third time, the said Bill and Provisoos were passed upon the question. *Vide* concerning this business on *Saturday* the 21. day, on *Tuesday* the 24th day and on *Monday* the 30th day of this instant *January* foregoing.

The Proviso in Parchment offered unto the Bill intituled An Act concerning a Lease of great Yearly Value procured to be passed from her Majesty by *William Kirkham* the younger, was twice read; and after many disputes and Arguments by sundry Members of this House, the same Proviso was read again for the third reading, and then the said Bill was in like manner read the third time; which done, the question was put for the annexing of the said Proviso to the said Bill, and Ordered upon the question and upon the division of the House with the advantage of six Voices, that the said Proviso should not be annexed to the said Bill, the Yea being but seventy, and the No being seventy six. And afterwards the Bill being in like manner put to the question, the said Bill was passed upon the question and upon the division of the House with the advantage of four Voices, the Yea being seventy five, and the No being but seventy one. *Vide* concerning this matter on *Friday* the 20th day of this instant *January* foregoing.

On *Wednesday* the 1. day of *February* three Bills of no great moment had each of them one reading; of which the last being the Bill for reviving, continuing and Explanation of an Act for the necessary relief of Mariners and Souldiers was read the third time and passed upon the question.

The Amendments in the Bill against the Excess of Apparel was read the second time and Ordered upon the question to be ingrossed.

The Bill for the maintenance of Hospitality and for increase of all Victuals and Flesh, whereby the Poor shall be much relieved, was read the second time, and rejected upon the several questions for the committing and ingrossing.

The Amendments and Provisoos of the Lords to the Bill lately passed in the House and sent up to their Lordships from this House, intituled An Act against Forestallors, Regrators and Ingrossers, being three times read, the said Amendments and Proviso where dashed upon the questions.

Two Bills lastly had each of them one reading; of which the last being the Bill for the Confirmation of Statutes Merchants in the Town Corporate of *Newcastle* upon *Tyne*, was read the third time and passed upon the question.

Mr Recorder of London, Mr Tanfield, Mr Wiseman, Mr Snagg, Mr Finch, Mr Lea, Mr Francis Moore, Mr Boyes, Mr Hide and Mr John Shirley were added to the former Committees in the Bill for the better Execution of Judgment (who were appointed on *Wednesday* the 25th day of this instant *January* foregoing) and were appointed to meet this Afternoon at two of the Clock in the *Middle-Temple*.

On *Friday* the third day of *February*, the Bill to restrain the Lading of Corn in some Ports was upon the second reading committed unto Mr Colebrand, Mr Hext, Sir Thomas Mounson, Mr Arnold, the Burgeses of Port Towns, Mr Shirley and others, who were appointed to meet this Afternoon at two of the Clock in the *Middle-Temple* Hall.

The Bill also for the restraint of carrying of Corn out of the Realm was read the second time and committed to the last former Committees, and the same time and place appointed for meeting, and both the said Bills and Committees names were delivered to Mr Colebrand.

The Bill against the excess of Apparel was read the third time and passed upon the Question.

Mr Serjeant Drew and Mr. Doctor Stanhop did bring from the Lords a Bill Intituled An Act for the reformation of the abuses touching Wine-Casks with special recommendation for the speedy proceeding in the same Bill; and did further bring word from their Lordships, that whereas their Lordships received a Bill from this House Intituled An Act for the reviving, continuance and explanation of divers Statutes, which Bill as their Lordships do wish good success unto, so their Lordships do in that respect pray present Conference of some convenient number of this House with six of their Lordships. Whereupon Mr. Shirley, Mr. Snagg, Mr. Dupont, Mr. Francis Moore, Mr. George Crooke, Mr. Finch, Mr. Oldsworth, Sir Robert Wroth, Mr. Wiseman, Mr. Boyes, Mr. Tasborough, Mr. Colebrand, Mr. George Moore, Sir Francis Hastings and Mr. Serjeant Lewkenor were presently appointed for that purpose accordingly.

Four Bills were sent up to the Lords from the House of Commons by Sir Francis Hastings and others; of which the first was the Bill for Confirmation of Statutes Merchants acknowledged in the Town Corporate of *Newcastle upon Tyne*; And the second was for the renewing, continuance and explanation of an Act for the necessary relief of Souldiers and Mariners.

Mr. Secretary one of the Committees in the Bill for reforming of sundry abuses committed by Souldiers and others used in her Majesties Services concerning the Wars (who were appointed on *Friday* the 27th day of *January* foregoing) shewed that he and the other of the Committees of this House have attended the Committees of their Lordships in that Bill accordingly; And that they found their Lordships very honourably inclined to hear the further minds and opinions of this House touching any the parts or points of

the said Bill for their Lordships better satisfactions concerning the same. And so moving for another meeting of the said Committees of this House to consider and confer touching the said Bill amongst themselves in the mean time, the Committees names were thereupon read by the Clerk, and the time of their meeting set down to be to Morrow at two of the Clock in the Afternoon in the Exchequer Chamber.

Mr. Francis Bacon, one of the Committees in the Bill lately passed in the Upper House and sent down by the Lords to this House, Intituled An Act against the decaying of Towns and Houses of Husbandry, shewed the meeting of the Committees, and that the more part of them being employed in the Committee of a Bill for the more speedy payment of the Queens Majesties Debts (who were appointed on *Tuesday* the 31th day of *January* foregoing). And in the Bill for the better explanation of the Act made in the thirteenth year of her Majesties Reign Intituled An Act to make the Lands, Tenements, Goods and Chattles of Tellors, Receivors, &c. liable to the payment of their Debts, they would proceed in the said other Bill, and so moved for another meeting for that purpose. Whereupon it was Ordered the same should be at two of the Clock in the Afternoon of this present day in the Exchequer Chamber.

Mr. Serjeant Drew and Mr. Doctor Stanhop did bring from the Lords a Bill lately passed in this House and sent up to their Lordships Intituled An Act for the establishing of the Lands given by *John Bedfords* Will to the perpetual repair and Amendments of the Highways at *Aylesbury* in the County of *Buckingham* according to the said Will; And did shew that their Lordships had likewise passed the same Bill in the Upper House with some Amendments, and with a Proviso annexed unto the same by their Lordships; and so did deliver the said Bill to Mr. Speaker.

Sir Francis Hastings and others returning from the Lords, he shewed the delivering of the Bills unto their Lordships which were sent up unto them by himself and others the Members of this House.

The Bill for Reformation of abuses in Wine-Casks was upon the second reading committed unto Sir Robert Wroth, the Knights and Burgeses of London, Mr. Snagg, Mr. Wiseman, Mr. Thomas Smith, the Burgeses of York, Mr. Peirson, Mr. Hext, Mr. Stevenson, Mr. George Moore and Mr. Lilley; and the Bill and Committees names were delivered to Mr. Hext, who with the rest was appointed to meet to Morrow in the Morning at eight of the Clock in the Committee Chamber.

On *Saturday* the 4th day of *February*, Mr. John Shirley one of the Committees in the Bill for the better Execution of Judgment (who were appointed on *Wednesday* the 25th day of *January* foregoing) shewed the meeting and travel of the Committees and some their Amendments in the Bill, and so delivered in the Bill.

The Bill for erecting and building of a Bridge over the River of *Wye* at *Wilton* upon *Wye* near the Town of *Rosse* in the County of *Hereford*, was read the third time and passed upon the question.

Mr Doctor *Carew* and Mr Doctor *Stanhop* did bring from the Lords a Bill passed in this House and sent up to their Lordships, intituled An Act for establishing a Joynture to *Anne* Lady *Wentworth* now wife of *William Pope* Esquire, and for the better enabling of *William Pope* afore said to sell certain of his Lands for the payment of his Debts, and another for the confirmation of the Jointure of the Lady *Verney* wife of Sir *Edmund Verney* Knight, which Bill their Lordships have also passed with some Amendments.

The Bill for the more speedy payment of the Queens Majesties Debts, and for the better explanation of the Act made in the 13. year of the Queen intituled An Act to make the Lands, Tenements, Goods and Chattels of Tellors, Receivours, &c. lyable to the payment of their debts, was read the third time, and after very many Speeches and Arguments both with the Bill and against the Bill, was in the end passed upon the Question, and upon the division of the House, with the advantage of thirty three voices, viz. with the Yea one hundred ninety five, and with the No one hundred and twelve.

Mr Doctor *Carew* and Mr Doctor *Stanhop* did bring from the Lords a Bill lately passed in this House and sent up to their Lordships, intituled An Act against the deceitful Stretching and Tainting of Northern Cloaths; and did shew that their Lordships have also passed the same Bill in the Upper House with some Amendments added by their Lordships to the same Bill, and so did deliver the Bill to Mr Speaker.

The said Mr Doctor *Carew* and Mr Doctor *Stanhop* did bring from their Lordships a Bill lately passed in this House and sent up unto their Lordships, intituled An Act for the reviving, continuance, explanation, perfecting and repealing of divers Statutes; and did shew that their Lordships have in like manner passed the same Bill with some Amendments and a Proviso; and so delivered in the Bill and Proviso to Mr Speaker.

On Monday the 6th day of February two Bills had each of them one Reading; of which the first being the Bill for reformation of retailing Brokers and Pawn-takers was read the first time.

Mr *Boyes* one of the Committees in the two Bills, the one against carrying of Corn out of the Realm and the other to restrain the lading of Corn in some Ports, shewed the meeting and travel of the Committees with some Amendments in one of the same Bills, and so delivered in the same Bills into this House.

Mr *Francis Bacon* one of the Committees in the Bill lately passed in the Upper House by the Lords, and sent down to this House, against the decaying of Towns and Houses of Husbandry, shewed the meeting and travel of the Committees and their Amendments to the same Bill, which Amendments being read to the House

were very well liked of by the whole House.

Thomas Bashfield was present at the Bar and charged with a contempt against the privilege of this House in disturbing by way of an Appearance of *Robert Sherry* a Member of this House returned a Burgess for the Town of *Ludlow* in the County of *Salop*, and was for his said contempt then committed to the Serjeants Ward, there to remain during the Pleasure of this House, and was on the next day after discharged of his Imprisonment paying his Fees and taking the Oath of Supremacy.

Five Bills were sent up to the Lords from the House of Commons by Mr Comptroller and others; of which the last was the Bill for the Confirmation of the Joynture of *Mary* Lady *Verney*, wife of Sir *Edmund Verney* Knight.

The Amendments and Provisoes of the Lords in the Bill lately passed in this House for establishing of the Lands given by *John Bedfords* Will to the perpetual repair and amendments of the Highways at *Aylesbury* in the County of *Bucks* according to the said Will, being three times read, the same Amendments were assented unto, and the Proviso likewise passed upon the question.

Mr Doctor *Carew* and Mr D^r *Stanhop* did bring from the Lords a Bill lately passed in this House and sent up to their Lordships for the further continuance and explanation of an Act for the necessary relief of Souldiers and Mariners made in the thirty fifth year of the Queens Majesties Reign that now is; and did shew that their Lordships have in like Case passed the same Bill in the Upper House with some Amendments, and so delivered in the said Bill to Mr Speaker.

The Bill for the Amendments of the Highways in the Counties of *Suffex*, *Surry* and *Kent*, was read the third time and passed upon the question.

The Amendments of the Committees of this House in the Bill lately passed by the Lords against the decay of Towns and Houses of Husbandry, and sent down by their Lordships into this House, being three times read, were assented unto by this House upon the question accordingly. Whereupon the said Bill and Amendments being read for the third reading, and put to the question for the passing, the said Bill and Amendments in that form were passed by this House upon the same question.

Mr Doctor *Carew* and Mr Doctor *Stanhop*, did bring from the Lords two Bills; of which the first was the Bill for the draining and recovery of certain overflown Grounds in the County of *Norfolk*, and delivered the same Bill to Mr Speaker.

On Tuesday the 7th day of February, Two Bills of no great moment had each of them one reading; of which the second being the Bill for establishing a Joynture to *Anne* Lady *Wentworth* now Wife of *William Pope* Esquire, and for the better enabling of the said *William Pope* to sell certain of his Lands for the payment of his debts, was read the second time and committed to Mr. Comptroller, Mr. *Lewkenor*, Mr. *Francis Bacon*,

Mr. Oglethorpe, Mr. Boyes, with divers others, who were appointed to meet this Afternoon at two of the Clock in the Court of Wards.

The Amendments and Proviso of the Lords in the Bill lately passed in this House intituled An Act for the reviving, continuance, explanation, perfecting and repealing of divers Statutes, being thrice read, the Amendments were assented unto, and the Proviso was passed upon the question.

The Bill lately passed in this House intituled An Act for the amendment of Highways in *Sussex, Surry, and Kent*, The Bill for the establishing the Lands given by *John Bedford's Will* to the perpetual repair and amendments of the Highways at *Aylesbury* in the County of *Buckingham*, with one other of no great moment, were sent up to the Lords by Mr. Comptroller, Mr. Chancellor and others.

The Bill for the better measuring of seven Miles from the Town of *Great-Yarmouth* according to a Statute made in the 31th Year of King *Edward the Third* was read the third time, and dashed upon the Question by the division of the House, with the difference of eighteen Voices, viz. with the No a hundred and eight, and with the Yea ninety.

Mr Serjeant *Drew* and Mr Doctor *Carew* did bring word from the Lords, that their Lordships do desire a Conference of a convenient number of the Members of this House with twenty of their Lordships this Afternoon in the Chamber next the Upper House, touching the Bill lately passed in this House intituled An Act against the excise of Apparel. Whereupon it was Ordered that the former Committees of this House in the same Bill (who were appointed on *Thursday* the 19th day of *January* foregoing) shall attend their Lordships accordingly.

Post Meridiem.

The Bill for reformation of retailing Brokers and Pawn-Takers was read the second time, and thereupon committed unto Mr *George Moore*, Mr *Hart*, Mr Recorder of *London*, Mr *Lewkenor*, Mr *Wiseman*, Mr *Ludlow*, Sir *John Leviston*, Mr *Crompton*, Mr *Conisby*, Mr *Lidley*, Mr *Johnson* and Mr Doctor *Parkins*, who were appointed to meet to Morrow Morning in the Committee Chamber.

The Amendments and Proviso of the Lords in the Bill lately passed in this House and sent up unto their Lordships, intituled An Act for the recovery of three hundred thousand Acres more or less of waste Marish and Watery grounds in the Isle of *Ely*, and in the Counties of *Cambridge, Huntington, Northampton, Lincoln, Norfolk* and *Suffolk* were read three times.

The Provisoes of the Lords in the Bill lately passed in this House and sent up to their Lordships, intituled An Act concerning the draining and recovery from the Water of certain overflowed grounds in the County of *Norfolk*, were

three times read; in which time of the last reading of these Provisoes Mr. Chancellor of the Exchequer came to the House, and then presently told Mr. Speaker and the residue of this House, that her Majesty commanded him to signify unto Mr. Speaker and to the residue of this House, that her Majesties express pleasure was, that the said two Bills concerning the draining of Marish and Fenny grounds should not be any more read in this House.

The Amendments and Proviso of the Lords to the Bill lately passed in this House and sent up unto their Lordships, intituled An Act against the deceitful stretching and tainting of Northern Cloth, being three times read, the said Amendments were assented unto, and the said Proviso passed upon the Question.

The Bill intituled An Act for the reviving, continuance, explanation, perfecting and repealing of divers Statutes was sent up unto their Lordships by Mr. Chancellor of the Exchequer and others.

Mr. Comptroller, one of the Committees of this House for Conference with the Committees of the Lords this Afternoon concerning the Bill lately passed in this House and sent up unto their Lordships, intituled An Act against the Excess of Apparel, &c. shewed their meeting with the said Committees of the Lords, and that their Lordships have no good liking of the said Bill for sundry imperfections in the same not answerable to her Majesties Proclamation touching the degrees and qualities of persons; And that their Lordships shewing themselves very courteously and kindly towards the said Committees of this House could have been well pleased to have proceeding with a more convenient Bill for the said purpose, if the expected shortness of the Parliament could so have permitted. Whereupon the House resolved not to deal any further touching that matter this Parliament.

The said Mr. Comptroller then also further shewed, that he and other the Committees of this House in the Bill intituled An Act for the enabling of *Edmund Mollineux* Esquire to sell Lands for the payment of Debts and Legacies, and in the Bill for establishing the Jointure to *Anne Lady Wentworth* now Wife of *William Pope* Esq; and for the better enabling the said *William Pope* to sell certain of his Lands for the payment of his Debts (who had been appointed in the beginning of this present day) shewed the meeting of the Committees and their some small Amendments in both the same Bills, and so delivered in both the said Bills; which Bills being each of them read severally for the third reading, the said Amendments being likewise three times read, the said Bills were thereupon passed upon the Question accordingly.

The Amendments and Provisoes of the Lords to the Bill lately passed in this House intituled An Act for the further continuance and explanation of an Act for the necessary relief of Souldiers and Mariners being three times read, the Amendments

Amendments were assented unto, and the Proviso passed upon the Question accordingly.

The Amendments of the Committees in the Bill for the better Execution of Judgments being twice read, the same were upon the Question Ordered to be ingrossed.

On *Wednesday* the 8th day of *February*, the Bill Intituled An Act for the establishing a Jointure to *Anne Lady Wentworth* now Wife of *William Pope* Esquire, and for the better enabling of the said *William Pope* to sell certain of his Lands for the payment of his Debts, The Bill Intituled An Act for the enabling of *Edmund Mollineux* Esquire to sell Lands for the payment of Debts and Legacies, The Bill Intituled An Act against deceitful stretching and raintering of Northern Cloth, The Bill intituled An Act for the further continuing and Explanation of an Act for the necessary relief of Souldiers and Mariners made in the thirty fifth year of the Queens Majesties Reign that now is, were sent up to the Lords by Mr. Comptroller and others.

The Bill for reformation of abuses in Wine-Casks was read the third time, and dashed upon the Question.

The Bill for the better Execution of Judgments was read the third time, and passed upon the Question.

Mr. *Wingfield* moved for the ordinary proceeding of this House in the usual course of Parliament to be permitted, concerning the two Bills lately passed in this House concerning sundry furrounded grounds in sundry Counties of this Realm, and sent up from this House unto the Lords, and there in like manner passed with their Lordships in the Upper House with some Amendments and some Provisoes sent down again by their Lordships unto this House, the further proceeding of this House in which Bill was yesterday restrained by a Message delivered from her Majesty by Mr. Chancellor of the Exchequer unto Mr. Speaker and this whole House.

Mr. Doctor *Carew* and Mr. Doctor *Stanhope* did bring from the Lords a Bill lately passed in this House and sent up to their Lordships, Intituled An Act that Lessees may enjoy their Leases against all Patentees, their Heirs and Assigns, notwithstanding any default in payment of their Rents during the time that the Reversion or Inheritance remained in the Crown; And did shew that the same Bill hath likewise passed with their Lordships with some Amendments and a Proviso; and so delivered in the same Bill to Mr. Speaker.

Mr. Serjeant *Drew*, Mr. Attorney General and Mr. Doctor *Stanhope* did bring from the Lords a Bill Intituled An Act for the Queens Majesties most Gracious general and free Pardon.

Post Meridiem.

The Amendments and Provisoes of the Lords in the Bill lately passed in this House and sent

up to their Lordships from this House Intituled An Act that Lessees may enjoy their Leases against all Patentees, their Heirs and Assigns, notwithstanding any default of payment of their Rents, during the time that the Reversion or Inheritance remained in the Crown, being three times read, the said Amendments were assented unto, and the said Provisoes were passed upon the Question.

The Amendments of the Committees of this House in the Bill that lately passed in the Upper House and was sent down by their Lordships to this House, Intituled An Act for reformation of Retailing Brokers and Pawn-Takers being three times read, the said Amendments were assented unto and the Bill likewise passed upon the Question.

On *Thursday* the 9th day of *February*, the Bill Intituled An Act for Reformation of Retailing Brokers and other Pawn-Takers, The Bill Intituled An Act that Lessees may enjoy their Leases against all Patentees, their Heirs and Assigns, notwithstanding any default of payment of their Rents during the time that the Reversion or Inheritance remained in the Crown, And the Bill Intituled An Act for the better Execution of Judgment, were sent up to the Lords by Mr. Comptroller and others.

The Bill for the Queens Majesties most gracious general and free pardon was once read and passed upon the Question.

Nota, That whereas to the passing of other Bills three distinct and several Readings are required, here the Bill for her Majesties most gracious Pardon passed upon the first Reading.

Mr. Serjeant *Drew* and Mr. Doctor *Carew* did bring from the Lords the Bill Intituled An Act for the Grant of three Subsidies and six Fifteenths and Tenths, and did shew that their Lordships have in like manner passed the same Bill; and so delivered the same to Mr. Speaker, to the end he may carry the same up into the Upper House to be presented by him unto her Majesty in the name of this whole House.

Nota, That the Original Journal-Book of the House of Commons ended here, and contained no other or further Passages of this day, although her Majesty came in Person in the Afternoon to the Upper House, which is therefore supplied out of the fragmentary and imperfect Journal mentioned more particularly at the beginning of this present Journal, as followeth.

The Queens Majesty came to the Upper House somewhat after three of the Clock in the Afternoon this present *Thursday* being the 9th day of this instant *February*, of which the House of Commons having notice, repaired thither with *Christopher Telverton* Serjeant at Law their Speaker, who having in the name of the House presented her Majesty with the Bill of three Subsidies and six Fifteenths and Tenths, and amongst

other things desired her Majesties Royal Assent to such Laws as had passed the two Houses, he was Answered according to her Majesties Commandment by the Lord Keeper, that she thankfully accepted the said Gift of her Loving Subjects, and very well allowed of the said Speakers pains and Speech.

Then M^r *Smith*, the Clerk of the Upper House,

having read the Titles of all the Acts, her Majesty gave her said Royal Assent to twenty four publick Acts or Statutes, and to nineteen private, and refused or quashed forty eight several Bills which had passed both the Houses. After which Sir *Thomas Egerton* Knight, Lord Keeper of the Great Seal of *England*, by her Majesties Commandment Dissolved this present Parliament.

THE

THE JOURNAL OF THE House of LORDS.

A Journal of the Passages of the Upper House of Parliament holden at Westminster, Anno 43 Reginæ Eliz. Anno Domini 1601. which began there on Tuesday the 27th Day of October, and then and there continued until the Dissolution thereof, on Saturday the 19th Day of December ensuing, Anno 44 Reginæ ejusdem.

THIS Journal of the Upper House (containing part of the passages of the Upper House, in the 10th and last Parliament of her Majesties Reign) is plentifully stored not only with the ordinary business of Reading Bills, with the Committing, Amending and expediting of them; but also with divers very useful and good Precedents touching the Liberties and Priviledges of the House it self. In which also divers Speeches, and other passages which were not found in the Original Book of the said House, are supplied out of other private Journals of that time of very good Authority. But yet to avoid confusion, whatsoever is here inserted out of the said private Journals, is particularly distinguished from that which is taken out of the above-mentioned Original Journal-Book of the Upper House, by some Animadversion or expression thereof both before and after the inserting of it.

Before the particular relation of each days passages of the Upper House in this Parliament be inserted out of the Original Journal-Book it self of the said House, all the Proxies both usual and unusual (entered also at the beginning thereof) which had been returned and delivered in unto the Clerk of the said House during the continuance of the same; are here in the next place to be transcribed and set down all of them together, and cannot be so orderly digested

and referred to each day on which they were returned, as formerly they have been. For whereas before this Parliament, and the last past in Anno 39 Reginæ Eliz. Henry Spilman and Anthony Mason Esquires who had been successively Clerks of the said Upper House, did usually enter the said Proxies at the beginning of each Journal, with express mention of several days on which they were introduced or returned; now Thomas Smith Esquire, as well in this Parliament as in that which last preceded in the said 39th year of her Majesty (when he succeeded unto the said Anthony Mason in the place of the said Clerk of the Upper House) did only generally enter them at the beginning of this present and that last foregoing Journal (*de Anno 39 Eliz.* as aforesaid) as had been formerly accustomed, saving that it differed somewhat in the manner of entering them; and that the several days also on which they had been introduced and delivered unto him, were not at all set down or expressed. Which course having been since also followed (unto this present year 1629.) the said Proxies can be no more referred to the proper days as in divers foregoing Journals they have been, but must be once for all generally set down at the beginning of this present Journal in manner and form following.

Literæ procuratoriæ in hoc Parlamento sunt allatæ

Archiepiscopi Eboracensis Matthæi, &c. qui Procuratores

procuratores suos constituit Johan. Archiepiscopum Cantuarien' & Tobiam Episcopum Dunelmen' conjunctim & divisim.

Nota, That whereas there is an (&c.) after the word *Matthæi* in the Proxie foregoing, it seemeth that these words are left out, viz. *absentis ex licentia Domine Regine*; and so if nothing had been omitted, the said Proxie, as may very probably be conjectured, should have been thus inserted, *Archiepiscopi Eboracensis Matthæi absentis ex licentia Domine Regine, qui procuratores, &c.* as is before set down.

Nota also, that the Proxies are all entred in the Genitive Case, and must therefore be referred to those foregoing words, viz. *Literæ procuratoriæ in hoc Parlamento sunt allatæ*.

Henrici Episcopi Carliolen. qui procuratores suos constituit Matthæum Archiepiscopum Eboracen' & Ricardum Episcopum Cestren' conjunctim & divisim.

Galfridi Episcopi Gloucestren', qui procuratores suos constituit Ricardum Episcopum London, Anthonium Episcopum Meneven', & Gulielmum Episcopum Exon' conjunctim & divisim.

Herberti Episcopi Hereforden', qui procuratores suos constituit Johannem Episcopum Roffen', Gulielmum Episcopum Coventr' & Litchfield, & Gulielmum Episcopum Norwicen' conjunctim & divisim.

Gulielmi Episcopi Norwicen', qui procuratorem suum constituit Johannem Archiepiscopum Cantuarien'.

Nota, That the Bishops Proxies are set before the Proxies of the Temporal Lords, not because, as I suppose, they were all returned first, but because of their Ecclesiastical dignities, and in respect that the Arch-Bishop of Canterbury one of their Order, is the first Peer of the Realm. Whence also their names are usually first set down in the Journal-Book, where the presence of all the Lords is noted each day when they sit as long as the Parliament continueth. Then follow the Proxies of the Temporal Lords in such order as they are here set down.

Rogeri Comitis Rutland (which as the rest is put in the Genitive Case in relation to those first words, *Literæ procuratoriæ in hoc Parlamento sunt allatæ*) qui procuratorem suum constituit Carolum Comitem Nottingham magnum seneschallum hospitii Regine & magnum Admirallum Angliæ.

Edwardi Comitis Bedford, qui procuratorem suum constituit Oliverum Dominum St John de Bletsoe.

Caroli Domini Mountjoy, qui procuratorem suum constituit Carolum Comitem Nottingham magnum seneschallum Hospitii Regine & magnum Admirallum Angliæ.

Gulielmi Comitis Bathon', qui procuratorem suum constituit Carolum Comitem Nottingham magnum seneschallum Hospitii Regine & magnum Admirallum Angliæ.

Edwardi Domini Morley, qui procuratorem suum constituit Carolum Comitem Nottingham magnum seneschallum Hospitii Regine & magnum Admirallum Angliæ.

Anthonii Vicecomitis Mountague, qui procuratorem suum constituit Thomam Dominum Buckhurst magnum Thesaurarium Angliæ.

Gulielmi Domini Sandes, qui procuratorem suum constituit Carolum Comitem Nottingham.

Edwardi Domini Stafford, qui procuratorem suum constituit Carolum Comitem Nottingham.

Georgii Comitis Huntington, qui procuratorem suum constituit Edwardum Comitem Wigorn'.

Thomæ Vicecomitis Bindon, qui procuratorem suum constituit Carolum Comitem Nottingham.

Domini Lumley, qui procuratorem suum constituit Thomam Dominum Darcy de Chiche.

Johannis Domini Darcy, qui procuratorem suum constituit Gilbertum Comitem Salop.

Henrici Comitis Kancix, qui procuratorem suum constituit Gilbertum Comitem Salop.

Edwardi Comitis Oxon, qui procuratorem suum constituit Carolum Comitem Nottingham.

Thomæ Domini Burleigh, qui procuratorem suum constituit Henricum Comitem Northumberland.

Nota, That in respect that this present Parliament was the last of her Majesties Reign, and these Proxies are entred after a different manner from most of those in the Queens time which are before set down, they are all of them therefore Transcribed both ordinary and extraordinary out of the Original Journal-Book of the Upper House; of which the Ordinary I call those, when a Spiritual Lord constituteth two Proctors, and a Temporal Lord one; and those Extraordinary, when a Temporal Lord constituteth more than one Proctor, and a Spiritual Lord but one or more than two.

Nota also, that the Earl of Nottingham had eight several Proxies sent unto him this Parliament, by which it is plain that by the Ancient Custom and usages of the Upper House every Member thereof is capable of as many Proxies as shall be sent unto him, although the said Custom be at this day altered by an Order made in the said House upon the

day of
in Anno 2. Regis Caroli, Anno Dom. 1626. (upon the ingrossing of many Letters procuratory by George Duke of Bucks) that no Lords Spiritual or Temporal should be capable of above two of the said Proxies.

The above-mentioned Proxies being set down in manner and form as aforesaid, now followeth in the next place the beginning of the Parliament it self, and the manner of her Majesties coming to the same.

On Tuesday the 27th day of October and the first day of this present Parliament, about three of the Clock in the Afternoon the Queen went by Land to Westminster Church, riding in a Chariot made all open, only like a Canopy at the Top, being of Cloth of Silver or Tissue, with divers Lords and others in their degree being Marshalled by the Heralds; where having heard a Sermon, she went into the Upper House, and being there set, the Lords Spiritual and Temporal took their several places, whose names are

are Transcribed out of the Original Journal of the Upper House in manner and form following.

Johannes Archiepiscopus Cantuarien'.

Thomas Egerton Miles, Dominus Custos magni Sigilli.

Dominus Buckhurst Dominus Thesaurarius Angliæ.

Marchio Winton.

Comites.

Comes Suffex Magnus Marefchallus.

Comes Nottingham Magnus Admirallus Angliæ & Magnus senefchallus Hospitii Reginae.

Comes Northumbr.

Comes salop.

Comes Darbiæ.

Comes Wigorn'.

Comes Cumbriæ.

Comes Pembroke.

Comes Hertford.

Comes Lincoln.

Episcopi.

Episcopus London.

Episcopus Dunelmen.

Episcopus Wintonien.

Episcopus Roffen.

Episcopus Coventr' & Litchfield.

Episcopus Wigorn.

Episcopus Bathon' & Wellen.

Episcopus Meneven.

Episcopus Lincoln.

Episcopus Asaphen.

Episcopus Cestren.

Episcopus Cicestren.

Episcopus Exon.

Episcopus Sarisburien.

Episcopus Elien.

Episcopus Petriburgen.

Barones.

Dominus Zouch.

Dominus Cobham.

Dominus Stafford.

Dominus Grey de Wilton.

Dominus Dudley.

Dominus Lumley.

Dominus Stourton.

Dominus Windfor.

Dominus Mordant.

Dominus Wharton.

Dominus Rich.

Dominus Willoughby de Parham.

Dominus Sheffield.

Dominus Darcie de Chiche.

Dominus Chandois.

Dominus St John de Bletfoe.

Dominus Compton.

Dominus Norreys.

Dominus Howard de Walden.

These names being thus inserted out of the Original Journal-Book, now follow some other passages of this day with the summ of the Lord Keepers Speech out of a private Journal of the House of Commons.

The Knights, Citizens and Burgeses of the House of Commons having notice that her Majesty with divers Lords Spiritual and Temporal and others were set in the Upper House, hasted thither; but before they came, the door of the House was shut, and notwithstanding any means that was made by them, was still kept shut until the Lord Keeper had ended his Speech: the substance or chief scope of which said Speech was as followeth.

He used perswasion of thankfulness, and of obedience, and also shewed her Majesties desire of dissolution of this Parliament before *Christmas*. He shewed unto us the necessity we stand in, and the means to prevent it; the necessity, the Wars between *Spain* and *England*; the means, Treasure, &c. His advice was, that Laws in force might be revised and explained, and no new Laws made. Our Enemies he said were Enemies to God, the Queen and the peace of this Kingdom, conspired to overthrow Religion, to reduce us to a Tyrannical servitude. These Enemies he named to be the Bishop of *Rome* and the King of *Spain*. Our state being thus, he summoned us to be provident, by reason we deal with a provident Enemy; and confident, because God hath ever, and I hope will ever, bless the Queen with successful fortune. He shewed how apparent his providence was by the means and course he taketh for our instruction; And secondly the success we had against him by Gods strong Arm of defence in *Anno* 1588. and divers other times since. You see to what effect the Queens support of the *French* Kings Estate hath brought him; even made him one of the greatest Princes in *Europe*; when her Majesties Forces there left him, how again he was fain to Ransom a servile Peace at our enemies the *Spaniards* hands with dishonourable and servile Conditions. For the *Low-Countries*, how by her aid, from a confused Government and State she brought them to an Unity in Counsel, and defended them with such success in her Attempts against the greatest power of the *Spaniards* Tyrannical designs, which have so much gauled him, that how many desperate practices have been both devised, consented to and set on foot by commandment of the late King his Father, I need not shew you, neither trouble you with Arguments for proof thereof, being confessed by them that should have been Authors themselves. But *de mortuis nil nisi bonum*. I would be loth to speak of the dead, much more to slander the dead. I have seen her Majesty wear at her Girdle the price of her blood; I mean Jewels which have been given to her Physicians to have done that unto her, which I hope God will ever keep from her; but she hath rather worn them in Triumph than for

for the price, which hath not been greatly valuable.

Then he fell to perswade us, because new occasions were offered of consultations, to be provident in provision of means for our own defence and safety, seeing the King of Spain means to make *England* miserable by beginning with *Ireland*; neither doth he begin with the Rebels, but even with the Territory of the Queen her self. He shewed that Treasure must be our means, for Treasure is the sinews of War.

Nota, That the substance of this Speech is only here inserted as it was afterwards repeated in the said House upon *Tuesday* the third day of *November*, which next ensued, by Sir *Robert Cecil* her Majesties principal Secretary, who had done it to satisfy divers Members of the same, who could not get into the Upper House to hear it this first day of the Parliament as is afore-said.

Now follow the Names of the Receivors and Tryors of Petitions out of the Original Journal-Book of the said House.

As soon as the Lord Keeper had ended his Speech, and that such of her Majesties Privy-Council and others of the House of Commons as had privately got in and heard it, were departed down to their own House, *Thomas Smith* Esq; Clerk of the Upper House read the Names of the Receivors and Triors of Petitions in French, which were as followeth.

Receivors of Petitions for *England*, *Ireland*, *Wales* and *Scotland*, Sir *John Popham* Knight, Lord Chief Justice, *Francis Gawdy*, one of the Justices of the Kings Bench, *George Kingmsell*, one of the Justices of the Common Pleas, Dr *Carew* and Dr *Stanhop*:

Receivors of Petitions for *Gascoign*, and other Lands and Countries beyond the Seas and of the Isles, Sir *Edmund Anderson* Knight, Lord Chief Justice of the Common Pleas, Sir *William Perriam* Knight, Lord Chief Baron, *Thomas Walmesley* one of the Justices of the Common Pleas, Dr *Swale* and Dr *Howard*. They who will deliver Petitions, to deliver them within six dayes.

Triors of Petitions for *England*, *Ireland*, *Wales* and *Scotland*.

The Archbishop of *Canterbury*, the Marquess of *Winchester*, the Earl of *Suffex* Lord Marshal of *England*, the Earl of *Nottingham* Lord High Admiral of *England* and Steward of the Queens House, the Earl of *Hartford*, the Bishop of *London*, the Bishop of *Durham*, the Bishop of *Winchester*, the Lord *Zouch*, and the Lord *Cobham*.

All these or any four of them, calling unto them the Lord Keeper of the Great Seal, and the Lord Treasurer and also the Queens Serjeants at their leisure, to meet and hold their place at the Chamberlains Chamber.

Triors of Petitions for *Gascoign* and other Lands and Countries beyond the Seas and of the Isles:

The Earl of *Oxford* High Chamberlain of *England*, the Earl of *Northumberland*, the Earl of *Shrewsbury*, the Earl of *Worcester*, the Earl of *Huntington*, the Bishop of *Rocheſter*, the Bishop of *Lincoln*, the Lord *Hunsdon* Chamberlain to the Queen, the Lord *Le Ware*, the Lord *Lumley* and the Lord *Burleigh*.

All these or four of them calling unto them the Queens Serjeants and the Queens Attorney and Sollicitor when their leisure did serve them, to meet and hold their place in the Treasurers Chamber.

Then the Lord Keeper continued the Parliament, which is set down in the Original Journal-Book in manner and form following.

Dominus Custos Magni Sigilli ex mandato Domine Regine continuavit presens Parliamentum usq; in diem Veneris proximè futurum, viz. 30^m diem Octobris.

Nota, That although there be some short mention made of the Presentment of the Speaker of the House of Commons in the Original Journal-Book of the Upper House, yet because it is very imperfectly and briefly Entred there, I have therefore supplied it somewhat largely out of a private Journal of the House of Commons.

On *Friday* the 30th day of *October* about one of the Clock in the Afternoon, her Majesty came by Water to the Parliament Chamber, commonly called the Upper House, and being Apparellled in her Royal Robes and placed in her Chair of State, divers also of the Lords Spiritual and Temporal being present, the Knights, Citizens and Burgesſes of the House of Commons, who had attended at the Door of the said House with *John Croke* Esq; Recorder of *London*, their Speaker Elect, the full space of half an hour, were at last as many as conveniently could let in, and the said Speaker was led up to the Bar or Rayl at the lower end of the same House, by the hands of Sir *William Knolles* Knight Comptroller of her Majesties Household, and Sir *John Fortescue* Chancellor of the Exchequer, and presented to her Majesty, to whom after he had made three low Reverences he spake in effect as followeth.

MOST Sacred and Mighty Sovereign, Upon your Majesties Commandment your most dutiful and loving Commons, the Knights, Citizens and Burgesſes of the Lower House have chosen me your Majesties most humble Servant being a Member of the same House, to be their Speaker; but finding the weakness of my self and my ability too weak to undergo so great a burthen, I do most humbly beseech your Sacred Majesty to continue your most gracious favour towards me, and not to lay this charge so unsupportable, upon my unworthy and unable Self: And that it would please you to Command your Commons to make a new Election of another more able and more sufficient to discharge the great service to be appointed by your Majesty and your Subjects. And I beseech your most excellent Majesty not to interpret my denial herein

to proceed from any unwillingness to perform all devoted dutiful service, but rather out of your Majesties Clemency and Goodness to interpret the same to proceed from that inward fear and trembling which hath ever possessed me, when heretofore with most gracious Audience it hath pleased your Majesty to Licence me to speak before you. For I know and must acknowledge that under God, even through your Majesties great bounty and favour I am that I am; And therefore none of your Majesties most dutiful Subjects more bound to be ready, and being ready, to perform even the least of your Majesties Commandments. I therefore do most humbly beseech your Majesty, that in regard the Service of so great a Prince and flourishing Kingdom may the better and more successfully be effected, to Command your dutiful and loving Commons, the Knights, Citizens and Burgesies of the Lower House, to proceed to a new Election.

Then after he had made three Reverences, the Queen called the Lord Keeper, to whom she spake something in secret; And after, the Lord Keeper spake in effect thus much.

Mr Speaker, Her Majesty with gracious attention having heard your wise and grave excuse for your discharge, Commanded me to say unto you, that even your Eloquent Speech of defence for your self is a great motive, and a reason very perswasive both to ratifie and approve the choice of the loving Commons, the Knights, Citizens and Burgesies, as also to commend their wise and discreet choice of your self in her gracious censure, both for sufficiency well able, and for your former Fidelity and Services well approved and accepted of: And therefore her Majesty taketh this Choice of you for *bonum omen*, a sign of good and happy success, when the beginning is taken in hand with so good Wisdom and Discretion.

Her Majesty therefore Commanded me to say unto you, that she well liketh of your Election, and therefore she ratifieth it with her Royal Assent.

Then Mr Speaker making three low Reverences Answered in this sort.

MOST Sacred and most Puissant Queen, seeing it hath pleased you to Command my Service by Consenting to the free Election of your dutiful and loyal Subjects, the Knights, Citizens and Burgesies, of me to be their Speaker, I most humbly beseech your Majesty to give me leave to shew unto you the dutiful thoughts and earnest affections of your loyal Subjects to do your Majesty all Services, and to defend your Royal and Sacred Person both with their Lives and Goods, against, &c. And so made a vehement Invektive against the Tyranny of the King of Spain, the Popes Ambition, the Rebels of

Ireland, which he said were like a Snake cut in pieces, which did crawl and creep to join themselves together again. And lastly, with Prayers to continue the prosperous Estate and Peace of this Kingdom, which hath been defended as he said by the Mighty Arm of our Dread and Sacred Queen. To which she Answered openly her self, *No, but by the mighty hand of God, Mr Speaker*. Then he proceeded to the last part, to beseech her Majesty for freedom of Speech to every particular Member of this House and their Servants. And lastly, if any mistaking of any Message delivered unto him from the Commons should happen, that her Majesty would attribute that to his weakness in delivery or understanding, and not to the House, as also any forgetfulness through want of Memory, or that things were not so judiciously handled or expressed by him as they were delivered by the House.

To which after the Queen had spoken to the Lord Keeper as aforesaid, (after three Reverences by the Speaker) the Lord Keeper said in effect as followeth.

Mr Speaker, Her Majesty doth greatly commend and like of your grave Speech, well divided, well contrived; the first proceeding from a sound Invention, and the other from a settled Judgment and Experience. You have well, and well indeed weighed the Estate of this Kingdom, well observed the greatness of our Puissant and Grand Enemy the King of Spain, the continual and excessive Charges of the Wars of Ireland, which if they be well weighed, do not only shew the Puissance of our Gracious Sovereign in defending us, but also the greatness of the charge continually bestowed by her Majesty even out of her own Revenues to protect us, and the exposing of her Majesty to continual trouble and toilsome cares for the benefit and safety of her Subjects. Wherefore Mr Speaker, it behoveth us to think and say, as was well delivered by a grave Man lately in a *Concio ad Clerum, Opus est subsidium me fiat excidium*.

Touching your other requests for freedom of Speech, her Majesty willingly consenteth thereto, with this Caution, that the time be not spent in idle and vain matter, painting the same out with froth and volubility of words, whereby the Speakers may seem to gain some reputed credit by imboldening themselves to contradiction, and by troubling the House of purpose with long and vain Orations to hinder the proceeding in matters of greater and more weighty importance. Touching access to her Person, she most willingly granteth the same, desiring she may not be troubled unless urgent matter and affairs of great consequence compel you thereunto: for this hath been held for a wise Maxim, *In troubling great Estates, you must trouble seldom*.

For Liberties unto your selves and persons, her Majesty hath Commanded me to say unto you all, that she ever intendeth to preserve the

Liberties of the House, and granteth freedom even unto the meanest Member of this House: But her Majesties Pleasure is, you should not maintain and keep with you notorious persons either for life or behaviour, and desperate Debtors who never come abroad, fearing Laws, but at these times; Pettifoggers and Vipers of the Common-Wealth; Proling and Common Solicitors, that set dissention between Man and Man; and men of the like condition to these: These her Majesty earnestly wisheth a Law may be made against; as also that no Member of this Parliament would entertain or bolster up any man of the like humour or quality, on pain of her Highness displeasure. For your excuse of the House and of your self, Her Majesty Commanded me to say, that your sufficiency hath so oftentimes been approved before her, that she doubteth not of your sufficient discharge of the place you shall serve in. Wherein she willeth you to have a special Eye and regard not to make new and idle Laws, and trouble the House with them; but rather look to the abridging and repealing of divers obsolete and superfluous Statutes; As also first to take in hand matters of greatest moment and consequence. In doing thus, Mr Speaker, you shall fulfill her Majesties Commandment, do your Country good, and satisfy her Highnesses expectation. Which being said, the Speaker made three Reverences to the Queen.

Nota, That this foregoing Speech of the Lord Keeper is not found in the Original Journal-Book of the Upper House, but is supplied out of a private Journal of the House of Commons, out of which also the whole business of this Afternoon touching the Speakers Presentment, Speech and Allowance are transcribed. And I have always conceived it most proper to refer the large relation of these and such like other Speeches and Passages (if warranted by any good Authority) to the Journals of the Upper House in which they are acted and delivered, and only for Order to leave some short Memorial of them in the Journals of the House of Commons.

Now follows the continuance of the Parliament out of the Original Journal-Book of the Upper House, where it is Entered in these words, *viz.*

Dominus Custos magni Sigilli ex mandato Dominae Reginae continuavit praesens Parliamentum usq; in diem Jovis quintum Mensis Novembris.

After which, (as is set down in the foresaid private Journal) room being made, the Queen came through the Commons to go to the great Chamber, who graciously offering her hand to the Speaker he kist it; but not one word she spake unto him; and as she went through the Commons, very few said *God save your Majesty*, as they were wont in all great Assemblies; and so she returned back again to *Whitehal* by Water.

Now follow the next days Passages out of

the Original Journal-Book of the Upper House.

On *Thursday* the 5th day of *November* (to which day the Parliament had been last continued on *Friday* the 30th day of *October* foregoing) were two Bills read; of which the first being for Assurance of Lands, and the second for the restraint of the excessive and superfluous use of Coaches within the Realm of *England*, were each of them read *primâ vice*.

On *Saturday* the 7th day of *November*, the Bill for Assurance of Lands was read *secundâ vice*, and committed unto the Archbishop of *Canterbury*, the Lord Treasurer, the Earl of *Nottingham*, the Earl of *Worcester*, the Earl of *Cumberland*, the Earl of *Lincoln*, the Lord Bishop of *London*, the Lord Bishop of *Durham*, the Lord Bishop of *Winchester*, the Lord *Zouch*, the Lord *Cobham*, the Lord *Grey*, the Lord *Rich*, the Lord *Howard* of *Walden*; and the Lord Chief Justice of her Majesties Bench, the Lord Chief Justice of the Common Pleas, the Lord Chief Baron and Mr Attorney General were appointed to attend their Lordships.

The Bill to restrain the excessive use of Coaches within this Realm of *England* was read *secundâ vice*, and rejected.

Hereupon Motion was made by the Lord Keeper, that forasmuch as the said Bill did in some sort concern the maintenance of Horses within this Realm, consideration might be had of the Statutes heretofore made and Ordained touching the breed and maintenance of Horses; And that Mr Attorney General should peruse and consider of the said Statutes, and of some fit Bill to be drawn and prefer'd to the House touching the same, and concerning the use of Coaches; And that he should acquaint therewith the Committees appointed for the Bill before-mentioned for Assurance of Lands. Which Motion was approved by the House.

The Bill for the preservation of Pheasants and Partridges was read *primâ vice*.

On *Tuesday* the 10th day of *November*, Two Bills had each of them one reading; of which the second being the Bill for preservation of Pheasants and Partridges, was read *secundâ vice*, and committed unto the Archbishop of *Canterbury*, the Lord Treasurer, the Earl of *Nottingham*, the Earl of *Northumberland*, the Earl of *Derby*, the Earl of *Worcester*, the Earl of *Cumberland*, the Earl of *Pembroke* and divers others to attend the Lords, (*Vide* concerning this attendance of the Judges upon the Lords Committees, on *Thursday* the 3^d day of this instant *November* foregoing) who were appointed to meet at the Little Chamber near the Parliament presence; and the Bill was delivered to the Archbishop of *Canterbury*.

On *Thursday* the 12th day of *November* (to which day the Parliament had been last continued on *Tuesday* foregoing) The Bill concerning Musters, Souldiers and other things appertaining thereunto, was read *secundâ vice*, and committed unto the Archbishop of *Canterbury*, the Lord Treasurer

Treasurer and divers other Lords both Spiritual and Temporal; And the Lord Chief Justice of *England*, the Lord Chief Justice of the Common Pleas, M^r Justice *Walmesley*, M^r Justice *Warberton*, M^r Serjeant *Telverton* and M^r Attorney General were appointed to attend the Lords.

Two Bills were brought up to the Lords from the House of Commons by Sir *William Knolles* and M^r Secretary *Herbert*; of which the first being the Bill against fraudulent Administration of Intestates goods was read *primâ vice*.

The Bill for Assurance of Lands was this day returned to the House with certain Amendments by the Lord Archbishop of *Canterbury*, the first of the Committees; which Amendments were presently twice read, and thereupon the Bill was appointed to be ingrossed.

Memorandum, That upon the reading of the said Amendments the Lord Bishop of *London*, one of the Committees, did offer to speak unto the Bill, or unto the said Amendments. Whereupon a doubt was moved by the Earl of *Nottingham* Lord Steward, whether it were agreeable to the good Order and Antient Custom of the House, that the said Lord Bishop being one of the Committees, and dissenting from the rest in some matter either of the Bill or of the Amendments, might speak thereunto upon the bringing in and presenting of the Amendments, or no. Which doubt being upon this occasion propounded in generality to the House by the Lord Keeper and put to the question, It was adjudged and resolved by the major part, That any Committee might speak in like case either to the body of the Bill or to the Amendments upon the bringing in of the same, before it be ingrossed. Upon which resolution Order was given to the Clerk of the Parliament, that a remembrance or observation thereof should be Entred in the Journal-Book, for the resolving and clearing of the like doubt if it should happen hereafter. And thereupon after the reading of the Amendments the said Lord Bishop of *London* proceeded to his Speech, and the Bill was appointed to be ingrossed as aforesaid. *Vide* in the Parliament *de an. 39 Regin. Eliz.* on *Tuesday* the 24th day of *January*.

Memorandum. Report was made unto the House by the Lord *Zouch* of one *William Hogan* an Ordinary Servant of the Queens Majesty, Arrested and Imprisoned upon an Execution by one *John Tolkerne*, since the beginning of the Parliament. And a Motion was likewise made by his Lordship to know the Judgment and resolution of the House in this point, whether any Ordinary Servant of her Majesty (though he be none of the Parliament) be not privileged and protected from Arrest during the time of the Parliament by vertue of his said Service to her Majesty, in like sort as the Servants of the Lords of the Parliament attending the said Lords their Masters are privileged and freed for that time from any Arrests of their Persons: And withal, being Arrested upon Execution, whether in this Case he may by good Order of this House be discharged.

Which Motion and doubt the Lord *Zouch* professed that he did the rather propound, because (though there were divers Examples of former times touching the Servants of the Lords of the Parliament) the like to this concerning one of the Queens Servants had not been (so far as was remembred) brought in question heretofore. And therefore it pleased the Lords to take knowledge of this Motion, and to give Order that *Tolkerne* should be sent for, at whose Suit the Arrest was made; And withal, that such Precedents as the Clerk of the Parliament could shew, should be looked out and made known to the House. *Vide plus* concerning this matter on *Monday* the 23th day of this instant *November* following.

On *Saturday* the 14th day of *November*, (to which day the Parliament had been last continued on *Thursday* foregoing, by occasion of sending for the aforesaid *Tolkerne*) request was made by M^r *Conisbie* Gentleman Usher to the House, and signified by the Mouth of the Earl of *Nottingham* Lord Steward, That for as much as the bringing of any person before the Lords (upon breach of the Priviledge of the House) did appertain (as the said M^r *Conisbie* supposed and alledged) to his place, though in the last Parliament (by some mistaking as he thought) the Serjeant at Arms was imployed therein; That therefore their Lordships would be pleased to confirm and settle such Order, as he might at this time and from henceforth have the Right of his place in that behalf. Whose request being considered of by the Lords, it was thought meet, that the Lord Archbishop of *Canterbury*, the Lord Treasurer, the Earl of *Nottingham*, the Earl of *Worcester*, the Lord Bishop of *Winchester*, the Lord *Zouch* and the Lord *Cobham* should at their next meeting upon any other occasion take notice of such Precedents as could be produced therein, either for the Gentleman-Usher or for the Serjeant at Arms, and thereof to make Report to the House, whereupon their Lordships would proceed to the deciding of the question between them. *Vide* concerning this business on *Tuesday* the first day of *December* next following.

The meeting of the Committees about the Bill concerning Musters, Souldiers, &c. (who were nominated on *Thursday* the 12th day of this instant *November* foregoing, and appointed to meet this Afternoon) was upon Motion to the House, by some of the Committees, deferr'd until *Monday* next being the 16th day of this instant *November* by eight of the Clock in the Morning.

A Motion was made by the Lord Keeper, that the Gentleman-Usher might be sent to such Lords as are absent from the Parliament; and have not sent their Proxies, to admonish them thereof.

Five Bills had each of them one reading; of which the second being the Bill for suppressing the multitude of Ale-Houses and Tippling-Houses was read *secundâ vice*, and committed to the Lord Treasurer, the Earl of *Worcester*, the Earl

of *Hartford*, the Earl of *Lincoln*, the Bishop of *Winchester*, the Bishop of *Lincoln*, the Bishop of *Bath and Wells*, the Bishop of *Chester*, the Bishop of *Exeter*, the Bishop of *Ely*, the Lord *Zouch*, the Lord *Cobham*, the Lord *Rich*, the Lord *Sheffield*, the Lord *Chandois*, the Lord *S^t John of Bletsoe* and the Lord *Compton*; and the Lord Chief Justice of *England*, M^r Justice *Gawdy*, M^r Baron *Savile* and M^r Serjeant *Telverton* were appointed to attend their Lordships.

The third Bill also being for the avoiding of unnecessary delays of Executions upon Judgment in Debt was read *secundâ vice*, and committed unto the Lord Treasurer, the Earl of *Worcester*, the Earl of *Pembroke*, the Bishop of *Rochester*, the Bishop of *Worcester*, the Bishop of *S^t Asaph*, the Lord *Cobham*, the Lord *Chandois*, the Lord *S^t John of Bletsoe*; and M^r Justice *Gawdy*, M^r Baron *Savile* and M^r Serjeant *Telverton* were appointed to attend their Lordships.

The Lord *Zouch* renewed his former motion concerning the Arrest of *William Hogan* her Majesties Ordinary servant, at the suit of *John Tolkerne*. Whereupon the Clerk of the Parliament was required to shew forth all such Precedents as he had found touching the Arrests of any Persons privileged by Parliament, having received directions from the Lords for that purpose as is before Recorded; of which sort out of the Journal-Book remaining in his custody there were to be found only these four hereunder mentioned, and no more.

1. Anno 27. *Reginæ Eliz. die Martis, primo die Decembris*, of *James Diggs* servant to my Lords Grace of *Canterbury*.

2. Anno 27. *Reginæ Eliz. die Lunæ 7. Die Decembris*, of *Robert Finneis* servant to the Lord Viscount *Binden*.

3. Item, in the last Parliament of 39 *Eliz. 26. die Novembris*, of *Edward Barston* servant to the Lord *Chandois*; and 8. *die Decembris* of *John York* the Lord Arch-Bishops servant.

4. Item Anno 14. *Reginæ die ultimo Junii*, It appeareth that the Lord *Cromwel* made complaint unto the Parliament of an Attachment served upon his Person; and that his Lordship was by Order of the Parliament discharged of the Attachment: but whether this Attachment was served in the time of the Parliament, it doth not certainly appear.

Which said Precedents being accordingly presented to the Lord Keeper, the same were presently read, together with certain Observations out of a Book written by *Richard Crompton* Esquire, Intituled the Authority and Jurisdiction of the Queens Courts, concerning the proceedings of the House in the like case of *George Ferrers* Gent. an ordinary servant to King *Henry 8.* about the thirty fourth year of his Reign.

This being done, albeit sundry Motions were thereupon made by divers of the Lords for a present proceeding in this matter, nevertheless because the said *Tolkerne* having been formerly

sent for, could not yet be found, and also in respect there was less appearance of the Lords this day than at other times, and this matter concerning the privilege of the House, was of great importance, and therefore required a more full Assembly, Stay was made of any further proceeding until *Thursday* next being the 19th day of this instant *November*: And in the mean time it was Ordered, that *Tolkerne* should again be sent for, to appear before the Lords in the House that day by nine of the Clock in the Morning. *Vide* concerning this matter on *Monday* the 23th day of this instant *November* following.

On *Monday* the 16th day of *November* (to which day the Parliament had been last continued on *Saturday* foregoing,) the Bill for reuniting *Eye* and *Dunsden* to the Mannor of *Sunning* was read *secundâ vice*.

Motion was made by the Lord *Sheffield* upon reading of this Bill, that *Thomas Crompton*, Son of *Thomas Crompton* Esquire deceased, with *Henry Best*, *Francis Jackson* and others whom it may concern, should be heard in the House, whether they or any of them could pretend any right or Interest in these Lands in respect of a Grant heretofore made thereof by her Majesty to the said *Thomas Crompton*. Which Motion was well approved by the House; and Ordered, that the Gentleman Usher should move the said parties to appear before their Lordships in the House for that purpose upon *Saturday* next the 21. day of this instant *November* by eight of the Clock in the Morning, and to bring them such persons as are interested in the Conveyance of those Lands. *Vide* *December 7th Monday postea*.

Memorandum, That the Committees upon the Bill for *Musters and Souldiers* (who were appointed to meet this Afternoon on *Thursday* the 12th day of this instant *November* foregoing) have upon a Motion to the House appointed another meeting about the same, upon *Thursday* Morning next, being the 19th day of this instant *November* before the House sit.

Three Bills of no great moment had each of them one reading; of which the last being the Bill for establishing of the Remainder of certain Lands of *Andrew Kettlebie* Esq; upon *Francis Kettlebie*, was read the first time.

Upon reading whereof it was Ordered by the Lords, that *Andrew Kettlebie* Esq; and *Jane* his Wife (whom the Bill concerneth) should be heard in the House, either by themselves or by any other person or persons sufficiently deputed and appointed by them in that behalf, what they could answer and alledge concerning the same. And the Gentleman-Usher was appointed to give them present notice of this Order.

A Motion was made again by some of the Lords touching *William Hogan* Prisoner in the *Fleet*, that he might be sent for out of the said Prison and brought into the House before the Lords, to the end he might make relation of his Cause, that thereupon such Order might be speedily taken with him as should by the Court be

be found meet and agreeable to the priviledge of the said Court. Upon which Motion it was debated by what course the said *Hogan* should be brought out of the *Fleet*, being then in Execution, whether by Warrant to be directed from the Lords to the Lord Keeper, requiring him to grant forth a Writ in her Majesties name for the bringing of the said *Hogan* from thence, or by immediate direction and order from the House to the Gentleman-Usher or Serjeant at Arms, without any such Writ. Which being put to the question by the Lord Keeper, it was resolved and Ordered by the general consent of the House, that it should be done by immediate direction and Order from the House without any such Writ as aforesaid. And accordingly Ordered, that the said *William Hogan* should be sent for and brought before the Lords by the Gentleman-Usher into the said House of Parliament upon *Thursday* next being the 19th day of this instant *November*, by nine of the Clock in the Morning. *Vide* touching this business on *Monday* the 23th day of this instant *November* ensuing.

Dominus Custos Magni Sigilli continuavit præsens Parliamentum usq; in diem Jovis, viz. 19 diem Novembris.

On *Thursday* the 19th day of *November*, the Bill for Breed and encrease of Horses of Service within the Realm, was read *primâ vice*.

Two Bills were brought up to the Lords from the House of Commons; of which the second was to avoid and prevent divers misdemeanors in lewd and idle persons; And the third was for confirmation of Grants made to the Queens Majesty, and of Letters Patents made by her Highness to others. Touching which Bill see at large on *Thursday* the 17th day of *December* following.

The Lord *Mordant* not able to attend for want of Health certified by the Lord *Compton*.

This day *William Hogan* was brought from the *Fleet* into the House before the Lords, who having made (as he was required to do) relation of his Arrest, and of the time, and parties that Arrested him, declaring that he was Arrested by the Under-Sheriff of the County of *Surrey* and others assisting him, upon *Saturday* before the beginning of the Parliament (which began on the *Tuesday* following) and that it was known to the said Under-Sheriff that he was her Majesties Ordinary Servant, and moreover that he thought *Tolkerne* was not privy to his Arrest at that time contrary to the priviledge of that Court; Upon the offer and Petition of the said *William Hogan* himself to pay the principal Debt of fifty Pounds, it was Resolved and Ordered by the Lords, that the said *William Hogan* should enter into sufficient to abide the Order and Judgment of the Earl of *Cumberland*, the Lord Bishop of *London* and the Lord *Zouch*, for such satisfaction to be made of the debt of fifty pounds, & any costs and charges, as by the said Lords should be thought fit, (the Bond to be taken to the said Lords) and thereupon be discharged out of Pri-

son and out of Execution: And likewise that the Warden of the *Fleet* should be free from any trouble, damage or molestation for discharge of the said *William Hogan*. It was likewise Ordered by the Court that the Under-Sheriff and any others that did Arrest or assist the Arrest of the said *William Hogan*, shall be sent for to appear before the Lords in the House on *Saturday* next being the 21th day of this instant *November* by nine of the Clock in the Morning. *Vide* concerning this matter on *Monday* the 23th day of this instant *November* ensuing.

On *Saturday* the 21th day of *November*, to which day the Parliament had been last continued on *Thursday* foregoing, Three Bills had each of them one reading; of which the last being the Bill for Assurance of Lands was read *tertiâ vice*.

Upon the reading of which said Bill sundry Objections were made against some points of the same by the Lord Bishop of *London* and divers others of the Lords, insomuch that the House was divided in opinion whether it should be put to the question for the passing thereof or no; Many of the Lords affecting well the said Bill, and wishing that any defect therein might be rather reformed than by the question to put it to the hazard of being rejected. By which occasion it was thought meet, first to propound another question, *viz.* whether the said Bill having been refer'd to Committees at the second reading, and been by them returned with some Amendments, and thereupon appointed to be engrossed, may now after the engrossing thereof and third reading be committed again or no. Which being accordingly put to the question, and the number both of the affirmative part and negative, falling out to be equal (upon the accompting of them by the Lord Bishop of *London* and the Lord *Grey* appointed by the Lords for that purpose) it was adjudged that the Voices of the negative part which were against the new committing of the Bill should prevail, following therein the usual rule of Law (whereof the Lord Keeper made mention) that where the numbers of the affirmative and negative are equal, *semper præsumitur pro negante*. And after that the Bill it self being put to the question, whether it should pass or no, was by the major part denied and refused.

A Motion was made by the Lord Keeper and approved by the Lords, that the antient course of the House may be observed hereafter, in certifying the excuses of such Lords as should be absent from the House upon reasonable occasion, which ought to be done by one of their Peers, and not by other Information.

Thomas Crompton, *Henry Best* and *Francis Jackson* made their appearance in the House, and being demanded whether the Bill concerning *Eye* and *Dunsden* might lawfully pass without their prejudice; they Answered, that it might so do, and that they could take no exceptions at it. *Vide* Dec. 7th *Monday* postea.

Hodie introductum est breve Francisci Domini Norris qui presenti Parlamento interesse summonebatur, & admissus est ad præheminentia sedendi in Parlamento locum, salvo jure alieno.

On Monday the 23th day of November, to which day the Parliament had been last continued on Saturday foregoing, the Bill for reuniting Eye and Dunsden to the Mannor of Sunning was read *tertiâ vice*, and sent down to the House of Commons by M^r Doctor Stanhop and M^r Hone.

The Bill to avoid and prevent divers misdemeanors in lewd and idle persons was read *secundâ vice*.

Nota, That there is no mention at all in the Original Journal-Book of the referring of this Bill unto Committees upon the second reading thereof, nor yet that it was Ordered to be ingrossed: By which it may seem, that either the omission of it did happen by the negligence of Thomas Smith Esquire now Clerk of the Upper House, who did forget to set down the referring of it to Committees (if it were at all committed) or else that it being not committed, was engrossed of Course. And it is the rather probable, that this happened not by any omission of the said Clerk, in respect that divers other Bills at this Parliament are set down in the Original Journal-Book of the said Upper House to have been read the second time without any further mention either of the Commitment or ingrossing, as on Wednesday the 2^d day, Friday the 4th day, Wednesday the 9th day, Saturday the 12th day, Monday the 14th day, and on Wednesday the 16th day of December next ensuing.

The Bill for Confirmation of Grants made to the Queen and of Letters Patents made by her Highness to others, was read *secundâ vice* and committed unto the Lord Archbishop of Canterbury and others (who were appointed to meet at the great Council Chamber) And the Bill was delivered to the said Lord Archbishop of Canterbury the first of the Committees.

The Bill for encrease and breed of Horses of service within this Realm was read *secundâ vice*, and committed unto the Earl of Nottingham Lord Steward, and others; And the Bill was delivered unto him being the first of the Committees. *Vide November 26th Thursday.*

The meeting of the Committees upon the Bills concerning the suppressing of the multitude of Alehouses, and for the avoiding of unnecessary delays of Executions upon Judgments in Debt (who were appointed on Saturday the 14th day of this instant November foregoing) was upon a Motion of the Lord Treasurer appointed to be upon Thursday next at the little Chamber near the Parliament presence before the House sit, for that the Committees could not conveniently meet at the times formerly appointed for the same.

The Under-Sheriff of the County of Surry that Arrested William Hogan was brought into the House to Answer for the same, and by Order

of the House committed to the Prison of the Fleet. *Vide* concerning this matter on Thursday the 12th day, Saturday the 14th day, Monday the 16th day, and on Thursday the 19th day of this instant November foregoing; as also on Thursday the 26th day of the same Month following.

On Tuesday the 24th day of November, Three Bills of no great moment had each of them one reading; of which the last being the Bill for the establishing of the remainder of certain Lands of Andrew Kettlebie was read *secundâ vice*, and committed unto the Earl of Worcester, the Lord Cobham, the Lord Chandois and the Lord Howard of Walden; And the Bill was delivered unto the said Lord Howard, who with the rest was appointed to meet on Saturday next by two of the Clock in the Afternoon at the Chamber of Parliament Presence.

This day the Wife of Andrew Kettlebie made her appearance in the House in the behalf of her Husband and her Self, excusing his not coming by reason of his great Age and Infirmities; And withal prayed that their Council Learned might be heard. Whereupon it was Ordered, that both their Council and the Council of Francis Kettlebie should be heard in the House upon Thursday next being the 26th of this instant November, in the Morning.

On Thursday the 26th day of November, to which day the Parliament had been last continued on Thursday foregoing, one Bill being for the more peaceable Government of the parts of Cumberland, Northumberland, Westmerland and the Bishoprick of Durham was read the second time and committed: But in respect that the manner of committing Bills during all this Parliament was the same, and that the Judges and her Majesties Learned Council were always appointed to attend the Lords Committees and never made Joint-Committees with them, as is at large observed in the next precedent Parliament, therefore the names of the said Committees are for the most part omitted.

It was Ordered by the House upon the humble Petition of William Hone Under-Sheriff of the County of Surrey, that he should be enlarged and set at liberty out of the Prison of the Fleet, whither he was lately committed for Arresting William Hogan her Majesties Servant. *Vide* concerning this matter on Monday the 23th day of this instant November foregoing.

The Council of Andrew Kettlebie Esq; and Francis Kettlebie were heard in the House; And thereupon the Committees of the said Bill were appointed to meet upon Saturday next by two of the Clock in the Afternoon at the Chamber of Parliament Presence; And the Lord Archbishop of Canterbury, the Lord Grey and the Lord Windsor were added unto the said Committees; And the Lord Chief Justice of the Common Pleas to attend with the others formerly appointed: And the Bill was delivered to the Lord Howard of Walden.

Nota, That here the Bill was delivered to the Lord

Lord *Howard* of *Walden* being the puisne Baron of the Committees; and on *Monday* the 23th day of this instant *November* foregoing, two several Bills being committed, the one of them was delivered to the Archbishop of *Canterbury*, and the other to the Earl of *Nottingham*, who were each of them the first or chief of either of the said Committees: By which it is plain, that as well in the Upper House as in the House of Commons, after any Bill is committed upon the second reading, it may be delivered indifferently to any of the said Committees. *Vide* also concerning this matter on *Tuesday* Dec. 8th ensuing. And so the Parliament continued until *Tuesday* the first day of *December*. On which day two Bills had each of them one reading; of which the second being the Bill for confirmation of all Leases made and to be made according to the true intent of the last Will and Testament of *George Lord Cobham* Deceased, was read *primâ vice*.

Six Bills were brought up to the Lords from the House of Commons by Sir *William Knolles*, Mr Secretary *Herbert* and others; of which the fifth was the Bill for the enabling of *Edward Nevill* of *Berling* in the County of *Kent*, and Sir *Henry Nevill* Knight, his Son and Heir Apparent, to dispose of certain Copyhold Lands parcel of the Mannor of *Rotherfield* in the County of *Sussex*, and of the Mannor of *Ailesby* and *Felding* in the County of *Warwick*.

And the sixth being the Bill to avoid trifling and frivolous Suits of Law in her Majesties Courts of *Westminster*, was read *primâ vice*.

Whereas the Lords Spiritual and Temporal of the Higher Court of Parliament were this day informed that one *William Vaughan* Servant to the Earl of *Shrewsbury* was of late Arrested, contrary to the priviledge of the said Court, by the procurement of one *William Crayford* of *Mongcham* in *Kent*, and committed to the Prison of *Newgate*, where he yet remaineth; It was therefore Ordered by the said Court, that a Serjeant at Arms shall be sent to the Keeper of that Prison, and require him in their Lordships names to bring the said *William Vaughan* before the Lords in his Company into the Upper House of Parliament to Morrow being the second day of this Instant *December* by nine of the Clock in the Morning; and that the said Serjeant at Arms shall also bring before the Lords at the time and place prefixed the said *William Crayford*, together with such other Persons as did either Arrest or assist the Arresting of the said *William Vaughan*. *Vide* on *Saturday* the 19th day of the Month following.

Memorandum that the Serjeant at Arms was this day sent for the parties above mentioned in like sort as the Gentleman-Usher had been formerly sent for others: And forasmuch as the Committees that were appointed on *Saturday* the 14th day of *November* foregoing to decide the question between them in that behalf, had not yet performed the same, It was therefore Commanded by the House that a remembrance

should be made that the sending for any parties before the Lords at this time or heretofore by the Gentleman-Usher or Serjeant at Arms, should not be prejudicial to either of their rights, until the said Committees should have convenient time to consider of and decide this question betwixt them. *Vide* *November* the 14th *Saturday* foregoing.

Upon a Motion made to the House by the Lord Treasurer, it was agreed, that the Committees in the two several Bills, the one concerning *Musters* and *Souldiers* (who were appointed on *Thursday* the 12th day of *November* foregoing) and the other for confirmation of *Letters Patents* (who were appointed on *Monday* the twenty third day of *November* foregoing) should joyn in one Committee for both Bills.

Nota, That although it be ordinary for a Committee upon some new occasion to be encreased in the number, or for divers Bills to be referred to one and the same Committee; yet I conceive this Precedent here immediately foregoing to be very rare and exotick, in respect that two several Committees appointed at several times in two several Bills, are united together and made as one Committee to both the said Bills.

On *Wednesday* the second day of *December* three Bills had each of them one reading; of which the first being the Bill to avoid trifling and frivolous suits in Law in her Majesties Courts at *Westminster*, and the second being the Bill for the Denization of certain persons, were each of them read *secundâ vice* and committed.

Nota, That here were two several Bills read *secundâ vice*, but no mention made either of their Commitment or Ingrossing; The supposed Cause or reason of which omission see more at large on *Monday* the 23. day of *November* foregoing.

The Bill concerning the suppressing of the multitude of Ale-Houses, &c. was returned to the House by the Lord Treasurer with certain Amendments.

William Crayford by whose procurement and assistance *William Vaughan* the Earl of *Shrewsbury*s servant was Arrested and committed to *Newgate*; and one *Millington* an Attorney, the said *Crayford*s Master, as also the Under-sheriff of *Middlesex*, and another Person that was Bayliff with *Crayford* in Arresting the said *William Vaughan*; all which persons having been heard particularly by the Lords, and the said *Millington*, the Under-sheriff and *Crayford*s fellow Bayliff protesting that they knew not the said *Vaughan* to be a man priviledged by the Parliament at the time of the Arrest, It was Ordered that the said *Millington*, the Under-sheriff and the said Bayliff should be dismissed for that Cause: But forasmuch as by the confession of the Under-sheriff it doth plainly appear to the Lords, that the said *Crayford* had very maliciously and upon unnecessary suits, that did not concern himself, prosecuted the serving and laying of sundry Executions upon *William Vaughan*, it was thought meet and so Ordered, that he should be committed to the Prison

Prison of the *Fleet*: And because also the Keeper of *Newgate* having seen their Lordships Order by the hands of the Serjeant at Arms for the bringing of the said *Vaughan* did not perform the same, pretending he could not with his safety remove him out of Prison being in Execution, he was in like sort committed to the *Fleet* for neglecting the said Order. And for the Prisoner *William Vaughan* the Lords resolved to enter into some further consideration for the bringing of him before them into the House. And thereupon their resolution concerning the same was respited until some other time. *Vide* concerning this matter on *Saturday* the 19th day of this instant *December* following.

On *Thursday* the 3^d day of *December* two Bills had each of them one reading; of which the second being the Bill for enabling of *Edward Nevil* of *Berling* in the County of *Kent*, and *Sir Henry Nevil* Knight his Son and Heir apparent, to dispose of certain Copyhold Lands parcel of the Mannor of *Rotherfield* in the County of *Suffex*, and of the Mannor of *Aylesby* and *Felding* in the County of *Warwick* was read *primâ vice*.

The Amendments of the Bill against the multitude of Ale-Houses and Tipling-Houses were this day twice read; And thereupon the Bill Ordered to be Ingrossed.

Three Bills had each of them one reading; of which the first being the Bill for Assurance of certain Mannors and Lands for part of a Jointure to *Lucy* Countess of *Bedford* was read *primâ vice*.

Two Bills were brought up to the Lords from the House of Commons; of which the first being the Bill against Drunkards and Common Haunters of Alehouses and Taverns was read *primâ vice*.

The Lords were this day informed by the Earl of *Worcester* of an Arrest made of the person of *Robert Treswell Somerset*, one of her Majesties Heralds at Arms in Ordinary, at the Suit of one *Margery Fitchet* of *London*. Whereupon it was Ordered by the Court, that the Serjeant at Arms should be sent for the said *Margaret Fitchet*, and for *William Smith* and *William Lane* that made the Arrest, and should bring them before the Lords into the Upper House to Morrow being the 4th day of this instant *December*; And that the said Serjeant should also bring *Robert Treswell* himself at the time and place prefixed. *Vide* concerning this matter on *Tuesday* the 8th day of this instant *December* following.

Motion was made by the Lord Keeper on the behalf of the Lord *Chandois*, signifying that his Lordship was constrained to repair into the Country for the finding of an Office which did greatly import him in his Estate, and therefore desired their Lordships allowance of his absence for some few days, whereunto they willingly assented.

Memorandum, That whereas it was formerly Ordered, that the Keeper of the Prison of *Newgate*, having in his Custody *William Vaughan* Servant to the Earl of *Shrewsbury* upon Execution, should bring the person of the said *William*

Vaughan on *Wednesday* the second day of this instant *December*, before the Lords Spiritual and Temporal into the Upper House of the High Court of Parliament; of which Order the said Keeper having taken notice by a Serjeant at Arms, did notwithstanding refuse to bring the said Prisoner into the Court, and for the said refusal and contempt was the same day by Order of the Court committed to the Prison of the *Fleet*; And Order likewise was given that such Precedents as could be found touching the proceeding of the Court in like case of Arrest in Execution should be produced at the next sitting of the said Court: It is therefore upon view and consideration of divers Precedents and Remembrances produced this day, and differing from the manner of proceeding Ordered by the said Court, that the Lord Keeper shall forthwith make out a Writ of privilege of Parliament to the Sheriffs of *London* and *Middlesex*, to have the body of the said Prisoner *William Vaughan* with the Cause of his Imprisonment before the said High Court at the Upper House to Morrow the 4th day of this instant *December* by eight of the Clock in the Morning. *Vide* *December* 19th *Saturday* *postea*.

A Copy of the Order last above-specified concerning *William Vaughan* subscribed by the Clerk of the Parliament, was delivered to the Lord Keeper for making out of the Writ.

On *Friday* the 4th day of *December*, the Bill against Drunkards and Common Haunters of Alehouses and Taverns, The Bill for levying of Fines with Proclamation of Lands within the City of *Chester*, The Bill for enabling of *Edward Nevil* of *Berling* in the County of *Kent*, and *Sir Henry Nevil* Knight, &c. And the Bill for Confirmation of Letters Patents made by King *Edward* the Sixth to *Sir Edward Seymour* Knight, were each of them read *secundâ vice*: But no mention made either of their Commitment or Ingrossing; the supposed cause or reason of which omission see more at large on *Monday* the 23th day of *November* foregoing.

The Bill for the suppressing of the multitude of Alehouses and Tipling Houses was read *tertiâ vice*, and sent to the House of Commons by Mr *Doctor Carew* and Mr *Coppin* Clerk of the Crown.

Two Bills also had each of them one reading; of which the first being the Bill for the assurance of certain Lands for part of a Jointure to *Lucy* Countess of *Bedford*, was read the second time and committed to the Earl of *Worcester* and others, who were appointed to meet at the Earl of *Worcesters* Chamber at the Court to Morrow by two of the Clock in the Afternoon; And the Bill was delivered to the said Earl of *Worcester*.

Whereas Order was taken at the last sitting of the Court of Parliament, *viz.* 3^o *die Decembris*, that a Writ of Privilege of Parliament should be made out by the Lord Keeper unto the Sheriffs of *London* and *Middlesex* for the having of the body of *William Vaughan* Prisoner in *Newgate*, together with the Cause of his Imprisonment

ment before the said Court this present day, the said Writ having been thereupon made out by the Lord Keeper, and the same together with the said Prisoner *William Vaughan* and the Cause of his Imprisonment being returned and brought this day into the Court by the Under-Sheriff of the County of *Middlesex*, and the said Prisoner *William Vaughan* having there made Declaration of the notorious frauds and practices used by *William Crayford* and others, for the Arresting of the said *Vaughan*; And likewise *Crayford* having been heard what he could say for himself in that behalf; Forasmuch as it appeared unto the Lords, that besides the breach of the Priviledge of the said High Court, the said *Crayford* had fraudulently and maliciously taken out and laid upon the said *Vaughan* divers Writs of Execution and Outlawry of many years past, and utterly without the privity and knowledge of most of the parties to whom the said Suits appertained, of which parties some were avowed to have been a good while since Deceased: It is therefore agreed and Ordered by the general consent of the Court, That the said *William Vaughan* shall be forthwith discharged out of Prison and Execution, and the said Sheriff shall be free from any trouble, damage or molestation for his said discharge. And it is likewise Ordered, that for satisfaction of any such Debts as shall be found due to be paid by the said *Vaughan* upon the Arrest mentioned and recited in the aforesaid return of the Sheriffs Writ, the said *Vaughan* shall enter into sufficient Bond to stand to such Order as shall be set down by certain of the Lords of the Parliament, namely the Earl of *Worcester*, the Earl of *Pembrook*, the Lord Bishop of *Durham*, the Lord Bishop of *Winchester*, the Lord *Windsor* and the Lord *St John*, to whom by the Court the Ordering thereof is committed. And moreover it is Ordered, that the said *Crayford* shall be returned to the Prison of the *Fleet*, and kept Close Prisoner until further direction be given for his Enlargement; And that the Keeper of *Newgate* lately Committed to the *Fleet* for not bringing the Prisoner into the Court, shall be presently discharged. *Vide* concerning this matter on *Saturday* the 19th day of this instant *December* following.

On *Saturday* the 5th of *December*, the Bill for maintenance of the Navy, increase of Mariners, and avoiding the scarcity of Victuals was read *primâ vice*.

Report was made to the House by the Lord Archbishop of *Canterbury*, the first of the Committees in the Bill concerning Musters, Souldiers, &c. (whose names see before on *Thursday* the 12th day of *November* foregoing) that the said Committees having oftentimes met and confer'd about that Bill did find so many imperfections in the same, as it could not conveniently be amended; And therefore thought it meet to draw a new Bill instead thereof, which he presented to the House.

The Bill Intituled An Act for the more peace-

able Government of the parts of *Cumberland*, *Northumberland*, &c. was returned to the House with certain Amendments, which Amendments were presently twice read, and thereupon the Bill commanded to be ingrossed.

The Bill concerning Captains, Souldiers and others; retained in the Queen Services in the Wars, was read *primâ vice*.

One Bill was brought up to the Lords from the House of Commons, by M^r Comptroller, M^r Secretary *Cecill*, Sir *John Fortescue*, M^r Secretary *Herbert* and others, which being for reformation of deceits and frauds of certain Auditors and their Clerks, in making deceitful and untrue particulars, was read *primâ vice*.

Upon Complaint made to the House by the Lord Archbishop of *Canterbury* of great disorders committed by certain Pages and others belonging to some of their Lordships, or to some of the House of Commons, in offering violence to divers persons, and particularly to his Lordships Bargeman, but especially to one *George Percivall* a Servant to the Lord Bishop of *Peterborough* who was abused and beaten as was informed by one of Sir *John Harrington's* Servants named It was Ordered by the Court, that the Committees under-named shall call the said *Percivall* and before them upon *Monday* next, being the 7th day of this instant *December*, at the Parliament Chamber, and upon Examination of the matter shall inflict such punishment on the Offender as they shall find Cause; And it is likewise Ordered, that the Lord Keeper shall confer with the Speaker of the House of Commons for some course to be considered of and taken for reformation of like abuses hereafter.

Committees to examine the abuses offered by Sir *John Harrington's* Servant to a Servant of the Lord Bishop of *Peterborough*, the Earl of *Lincoln*, the Lord Bishop of *London*, and the Lord *Zouch*.

On *Monday* the 7th day of *December*, Two Bills had each of them one reading; of which the first being the Bill for the more peaceable Government of the parts of *Cumberland*, *Northumberland*, *Westmerland*, the Bishoprick of *Durham*, was read *tertiâ vice*, and sent down to the House of Commons by Doctor *Carew* and M^r Doctor *Stanhop*.

The Bill to avoid double payment of Debts was brought up to the Lords from the House of Commons by M^r Comptroller, Sir *Edward Hobbie* and others.

Four Bills also had each of them one reading; of which the third being the Bill for Confirmation as well of all Grants made to the Queens Majesty, and of all Resumptions made by her Highness, of the Possessions of any Arch-Bishoprick or Bishoprick, as of Letters Patents made by her Majesty to others, was read *primâ vice*.

The Bill for Reformation of Grants made to the Queen, and by Letters Patents made by her Highness

Highness to others, was this day returned to the House with certain Amendments by the Lord Treasurer the first of the Committees. *Vide* concerning this Bill on *Thursday* the 17th day of this instant *December* following.

Memorandum, That upon a Motion made this 7th day of *December* to the House by the Lord *Zouch*, that the Lady *Fane* by her Letters to Sir *Anthony Mildmay*, had signified that she had not given her consent to the passing of the Bill concerning the enabling of *Edward Nevill* and Sir *Henry Nevill* his Son to dispose of certain Copyhold Lands, &c. as was mentioned in the said Bill; the said Sir *Anthony Mildmay* was called before their Lordships, who produced the said Letter, and the same was read in the House: And thereupon it was Ordered, that any further proceeding in the Bill should be respited until *Wednesday* next by ten of the Clock in the Forenoon, at what time the Lady *Fane* might be heard what she could say against the same, if she would then be present. *Vide* concerning this business on *Wednesday* the 9th day of this instant *December* ensuing.

This day Sir *William Knolles*, Sir *Edward Hobbie* Knights, with divers others of the House of Commons, delivered a Message from the Knights and Burgesses of the said House, desiring Conference with some of their Lordships about the Bill concerning the uniting of *Eye* and *Dunfden* to the Mannor of *Sunning*. Upon delivery of which Message, after the said Sir *William Knolles* and the rest had a little withdrawn themselves, and then upon propounding of this Motion to the House the Lords had assented thereunto, Answer was made by the Lord Keeper (sitting in his place and the rest of the Lords also keeping their places) unto the said Sir *William Knolles*, &c. that the Lords had yielded to the Conference, and had appointed certain Committees (under-named) to meet with some select persons of the House of Commons for that purpose, *viz.* the Lord Treasurer, the Lord Steward, the Lord Bishop of *London*, the Lord Bishop of *Winchester*, the Lord *Zouch* and the Lord *Cobham*, appointed to meet at the Outer Chamber near the Parliament Presence to Morrow the 8th day of this instant *December* by eight of the Clock in the Morning. *Vide* concerning this matter on *Monday* the 16th day, and on *Saturday* the 21th day of *November* foregoing.

On *Tuesday* the 8th day of *December*, Six Bills had each of them one reading; of which the last being the Bill concerning Captains and Souldiers and other the Queens Services in the Wars, was read *secunda vice*, and committed to the Committees, formerly appointed for the first Bill of that kind (whose names see before on *Thursday* the 12th day of *November*) with addition of the Lord *Windfor*; and the said Committees to meet about the said Bill upon the first opportunity of meeting about any other Bill; and the Bill was delivered to the Earl of *Nottingham*

Lord Steward the third of the Committees.

Nota, That here this Bill was delivered to the Earl of *Nottingham* being the third of the Committees, of whom the Lord Archbishop of *Canterbury* and the Lord Treasurer were the two first: Whereas on *Monday* the 23th day of *November* foregoing, a Bill being committed upon the second reading was delivered unto the Archbishop of *Canterbury* the first of the Committees; And on *Thursday* the 26th day of the same Month upon the Commitment also of a Bill in the like manner, it was delivered unto the Lord *Howard* of *Walden* being the puisne Baron or last of the Committees. By which it is plain, that as well in the Upper House as in the House of Commons, after any Bill is committed upon the second reading, it may be delivered indifferently to any of the said Committees.

A Proviso was offered by the Earl of *Worcester* in the behalf of the Earl of *Shrewsbury*, to be annex'd unto the Bill Intituled An Act for Confirmation of Grants made to the Queens Majesty, and of Letters Patents made by her Highness to others. Which Proviso together with the Amendments in the said Bill (returned Yesterday to the House by the Committees) were presently read. And forasmuch as the Lords desired a speedy proceeding in this Bill, they sent Dr *Carew* and Dr *Stanhop* to the House of Commons, to move them that some meet persons of that House might join in Conference with the Lords being to the number of twenty or thereabouts, concerning the Proviso and Amendments aforesaid; And that the meeting about the same might be at the Outward Chamber near the Parliament Presence to Morrow the 9th day of this instant *December* by eight of the Clock in the Morning. Upon delivery of which Message to the House of Commons they assented accordingly to the Motion made in that behalf. *Vide* concerning this matter on *Thursday* the 17th day of this instant *December* ensuing.

Upon a Motion sent this day from the House of Commons by Sir *Walter Raleigh*, Sir *Francis Hastings*, Sir *Edward Hobbie* and others, signifying that they desired Conference with some of their Lordships for certain matters concerning the Honour of both Houses, the Lords hereafter named were Selected and Chosen to confer thereabout with such as should be nominated and sent by the House of Commons, and the time and place of meeting appointed upon *Thursday* next, being the 10th day of this instant *December*, by eight of the Clock in the Morning, at the Outward Chamber near the Parliament Presence, which was signified to Sir *Walter Raleigh* and the rest in Answer of their Message. The Lord Archbishop of *Canterbury*, the Lord Treasurer, the Earl of *Nottingham* Lord Steward, the Earl of *Northumberland*, the Earl of *Worcester*, the Bishop of *London*, the Bishop of *Durham* and the Bishop of *Winchester*, the Lord *Zouch*, the Lord *La Ware*, the Lord *Cobham* and the Lord *Howard* of *Walden*.

This day the Lord Archbishop of *Canterbury*, the first of the Committees in the Bill concerning *Andrew* and *Francis Kettlebie* (whose names see before on *Tuesday* the 24th day of *November*) made Report to the House, that the said Committees did desire and had endeavoured to make some agreement betwixt the parties, by procuring the Wife of *Andrew Kettlebie* to accept of reasonable Conditions for her Estate, which they held to be a better course than that the Bill should proceed absolutely without any help for the said Wife: But forasmuch as the said Committees could not prevail therein with her (who utterly refused all composition) they therefore returned the Bill again to the House without alteration in such sort as they received the same; Thereupon Order was given for ingrossing thereof.

The matter concerning the Arrest of *Robert Treswel Sommerfet* one of the Heralds, was referred to her Majesties Commissioners for those Causes that concern the Lord Marshalls Office, and the parties that were sent for to be discharged. *Vide* on *Thursday* the third day of this instant *December* foregoing.

The Lord *Burleigh* not able to attend for want of health signified by the Lord Keeper.

On *Wednesday* the 9th day of *December* Mr being of Council with the Lady *Fane*, was heard in the House what he could say in her behalf against the Bill of *Edward Nevill* and Sir *Henry Nevill* his Son. Whereupon the Lords finding no Cause why the proceeding of the said Bill should be longer stayed or forborn, Order was presently given for the third reading thereof.

The Bill for the enabling of *Edward Nevill* of *Berling* in the County of *Kent* and Sir *Henry Nevill* Knight his Son and Heir apparent, to dispose of certain Copyhold Lands, was read *tertiâ vice*.

Upon the third reading of which said Bill, and before the putting thereof to the question whether it should pass or no, the Lady *Fane* yielded her consent to the passing of the same, being thereunto perswaded by sundry of the Lords. *Vide* concerning this matter on *Monday* the 7th day of this instant *December* foregoing.

The Bill to avoid the double payment of Debts was read *secundâ vice*, but no mention is made either of the Commitment or ingrossing thereof, the supposed cause or reason of which omission see more at large on *Monday* the 23^d day of *November* foregoing.

The Lord Treasurer made Report that the Committees in the Bill concerning Letters Patents and Conveyances, &c. could not proceed to any certain Conference with those that were sent from the House of Commons for that purpose, in respect of some doubts that were conceived, whether the Proviso offered to be annexed thereunto were necessary or no. And thereupon Mr Attorney General was required to deliver his opinion in that behalf. Which being

done by him accordingly to this effect, That he thought the said Proviso to be needless and unnecessary; and the Judges also concurring with him in that opinion; Nevertheless upon a motion made by the Lord Bishop of *London*, that the Council learned of the Earl of *Shrewsbury* and Mr *Holcroft* (whom the said Proviso did concern in particular) might be heard in the House as they desired touching the same; it was thought meet and agreeable to the honour and dignity of the House, that they should be so heard: To which end their Council were appointed to give their Attendance to Morrow the 10th day of this instant *December* by eight of the Clock in the Morning.

And moreover for the better satisfaction of the House of Commons for the present, Mr Serjeant *Yelverton*, Mr Dr *Carew* and Mr Dr *Stanhope* were sent unto them with this Message, to signify their Lordships desire to have proceeded to Conference with them this Morning about the said Bill (as was yesterday appointed) And that the Lords were the more willing to give furtherance to the expediting of the said Bill, in regard the same was especially recommended unto their Lordships from the said House: But forasmuch as they found not themselves sufficiently prepared for this Conference, by reason of doubts that were not yet cleared unto them, they desired the said Conference might be respited till *Friday* Morning next by eight of the Clock at the outward Chamber near the Parliament presence. Unto which Motion the House of Commons willingly assented. *Vide* concerning this matter on *Thursday* the 17th day of this instant *December* following.

On *Thursday* the 10th day of *December*, the Bill for the establishing the remainder of certain Lands of *Andrew Kettlebie* Esquire upon *Francis Kettlebie*, was read *tertiâ vice* and sent to the House of Commons by Dr *Stanhope* and Dr *Hone*.

Two Bills had each of them one reading; of which the first being the Bill to avoid double payment of Debts was read *tertiâ vice* and expedited.

The Bill concerning Resumptions, &c. (which was committed on *Tuesday* the 8th day of this instant *December* foregoing, although the mention thereof as being of little moment is there purposely omitted) was this day delivered to the Lord Treasurer one of the Committees.

The Council learned as well on the behalf of the Earl of *Shrewsbury* as of *Tho. Holcroft*, *Henry Candish* and *William Candish* Esquires, were heard at large in the House (as was yesterday appointed;) And thereupon Mr Attorney was required to deliver his opinion again of the said Provisoes offered on either part. Which being done by him accordingly in more particular and ample manner than before, and having withal delivered his resolution to sundry questions propounded unto him by divers of the Lords concerning the said Cause, it was Ordered as followeth.

Upon debate in the House concerning the fe-
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veral Provisoës offered by the Earl of *Shrewsbury* and by *Thomas Holcroft*, *Henry Cavendish* and *William Cavendish* Esquires, to be annext to the Bill intituled An Act for Confirmation of Grants made to the Queens Majesty and others; It was at last agreed that the Lord Chief Justice of her Majesties Bench, the Lord Chief Justice of the Common-Pleas, calling unto them the rest of the Judges, and Mr Attorney General, should draw some new Provisoës, such as they should think indifferent for all Parties, and meet to be annexed to the said Bill, and should present the same to the Lords to Morrow in the Morning before their Conference with the House of Commons about the said Bill. *Vide* concerning this matter on *Thursday* the 17th day of this instant *December* ensuing.

The Lord Keeper signified unto their Lordships that he received Commandment from her Majesty to let them understand her Pleasure to be, that the Parliament should end upon *Thursday* the 17th day, or *Friday* the 18th day of this instant *December* at the furthest, to the end their Lordships may repair home into their Countries against *Christmas*. And therefore she required them to imploy and spend that time which remaineth, in matters concerning the publick, and not in private Causes.

Memorandum, Quod die decimo prædicto, viz. dicti Mensis Decembris, Those of the House of Commons that were appointed to confer with some of the Lords (upon the Message lately sent from the said House signifying their desire of Conference for some matter touching the Honour of both Houses) did make known unto the Lords of the Committees nominated for that purpose, that the occasion of such their Message was, for that (as they were informed) Mr Attorney General had prefer'd a Bill into the Star-Chamber against one *Belgrave* a Member of the House of Commons, for and concerning some matter of misdemeanour pretended to be done towards the Earl of *Huntington* a Lord of the Upper House. And therefore they desired this mutual Conference, letting their Lordships understand, that to the preferring of the said Bill they conceived just exceptions might be taken by them for two respects.

First, That *Belgrave* being a Member of the House of Commons was thereby vexed and molested during his Service in the time of Parliament, contrary to the Honour and Privilege of the House, saying that no Member of that House ought by any such means in time of his Service to be distracted either in body or mind. The other, because in the said Bill prefer'd by Mr Attorney General, who had been heretofore Speaker of that House, and therefore as they thought, ought to have more regard to the honour and liberty of the same, certain words and clauses were inserted, which were taken to be prejudicial and derogatory to the honour of the said House. And therefore they desired that the Lords would peruse and consider of the said Bill.

Whereupon the said Bill being offered to be read, and for as much as it appeared that it was not an authentick Bill testified by the hand of the Clerk of the Star-Chamber, as had been meet, the Lords thought it not meet (though otherwise they were willing to have it read) nor agreeable to the proceeding of such a Court, that the said Bill or Scroll shall be received to reading. And therefore with a Message to that effect were pleased to send it down again to the House of Commons by Mr Serjeant *Telverton* and Mr Dr *Hone*; who finding the House risen before they came, brought the said Bill back again. *Vide* concerning this matter on *Monday* the 14th day of this instant *December* following.

On *Friday* the 11th day of *December*, the Bill concerning Captains, Souldiers and other in the Queens Services in the Wars, was returned to the House by the Lord Steward with certain Amendments, and a Proviso thought meet by the Committees (whose names see on *Thursday* the 12th day of *November* foregoing, as also on *Tuesday* the 8th day of this instant *December* last past) which Amendments and Provisoës were presently twice read, and thereupon the Bill Commanded to be ingrossed.

The Bill for maintenance of the Navy, encrease of Mariners, &c. (which was committed on *Monday* the 7th day of this instant *December* foregoing, although the mention thereof as being of little moment be there purposely omitted) was returned to the House by the Lord Treasurer the first of the Committees with certain Amendments, which were presently twice read.

Four Bills were brought up to the Lords from the House of Commons; of which the two last were, one for the Assurance of the Parsonage of the Vicaridge of *Rotherston* in the County of *Chester*, and a Scholars Room in the Cathedral Church of Christ in *Oxon*, of the Foundation of K. H. 8. by the Dean and Chapter of the said Cathedral Church, to *Thomas Venables* Esq; and his Heirs for ever; And the other for the Augmentation of *Rachel* Wife of *Edward Nevil* in the Counties of *Kent*: both which Bills were read *primâ vice*.

Memorandum, A Proviso being drawn by the Judges for the Bill for Confirmation of Grants made by her Majesty, &c. as by the Court was Yesterday appointed, the same was presented to the House by the Lord Treasurer the second of the Committees, testified by Mr Attorney General, that both Parties, *viz.* the Earl of *Shrewsbury* and *Thomas Holcroft* Esq; &c. like of it, and the same was read *primâ vice*, and Conference had immediately with the Committees of the House of Commons in the Outward Chamber. *Vide* concerning this matter on *Thursday* the 17th day of this instant *December* following.

The Bill before-mentioned sent down Yesterday by Mr Serjeant *Telverton* and Dr *Hone* was sent by them again with the same Message, and moreover to signifie unto them, that the Lords are

are ready to have Conference with them. Whereunto the House of Commons returned Answer, that for the Conference they are ready to meet with the Lords forthwith; And concerning the Bill, they will do what shall be fit. *Vide* Concerning this on *Thursday* the 17th of *December* ensuing.

On *Saturday* the 12th day of *December*, Eight Bills were brought up to the Lords from the House of Commons by M^r Secretary *Cecill*, M^r Secretary *Herbert* and others, which were each of them read *primâ vice*; of which the first was for reformation of abuses in Sheriffs and other their inferiour Officers for not duly executing Writs of Proclamation upon *Exigents* according to the Statute of 31 *Eliz.* And the second was the Bill for prohibiting Fairs and Markets to be holden on the *Sunday*.

Two Bills also had each of them one reading; of which the first being the Bill for the Grant of four entire Subsidies and eight Fifteenths and Tenths granted by the Temporality, was read *primâ vice*. *Vide* concerning this Bill on *Monday* the 14th day and on *Tuesday* the 15th day of this instant *December* ensuing.

The Lords and those of the House of Commons not having time yesterday to conclude their Conference about the Bill concerning Letters Patents and Conveyances, &c. another meeting was then appointed for them this Morning; M^r Attorney General and M^r Doctor *Carew* were therefore sent unto them to let them know, that their Lordships were ready presently to meet. Unto which Message the House of Commons returned Answer, that they would make their repair to their Lordships forthwith for that purpose. *Vide* concerning this matter on *Thursday* the 17th day of this instant *December* ensuing.

The Bill for the perfecting the Joynture of the Lady *Bridget* Countess of *Sussex*, Wife of *Robert* Earl of *Sussex*, was read *secundâ vice*, but no mention was made either of the Commitment or Engrossing thereof; the supposed cause or reason of which omission see more at large on *Monday* the 23th day of *November* foregoing.

The Bill concerning the Joynture of the Countess of *Bedford* was returned to the House by the Earl of *Worcester* first of the Committees (who were appointed on *Friday* the 4th day of this instant *December* foregoing) with a Proviso and certain Amendments thought meet to be added, together with a Petition of the Lady *Russell* against the said Bill.

The Lords that were appointed Committees for the Bill touching Letters Patents, &c. went forth to the outward Chamber to have Conference with those of the House of Commons appointed Committees for the same Bill, but nothing concluded touching the Amendments, because the said Committees had no power to conclude; and therefore after long debate the Bill was brought back to the House, and the relation thereof referr'd to be made by M^r Attorney, and the same deferred till the Afternoon sitting, by reason the day was spent.

Dominus Custos Magni Sigilli continuavit præsens Parliamentum usq; in horam tertiam post Meridiem hujus diei.

About which hour the Lord Keeper and divers Lords having assembled themselves, five Bills had each of them one reading: of which the first concerning the draining and recovery from the Water of certain Overflown-Grounds in the County of *Norfolk*; The second for Reformation of Abuses committed in buying and selling of Spices and other Merchandizes; and the third to prevent Perjury and Subornation of Perjury and unnecessary expences in suits of Law, were each of them read *secundâ vice*. But no mention is made either of their Commitment or Engrossing, the supposed cause or reason of which omission see more at large on *Monday* the 23th day of *November* foregoing.

The Proviso that was pretended to be added to the Bill for the Maintenance of the Navy, encrease of Mariners, &c. was this day twice read in like sort as the Amendments of the said Bill had been before, and thereupon the Bill was appointed to be forthwith engrossed.

The Bill for the maintenance of the Navy, encrease of Mariners, &c. was read *tertiâ vice*, and sent to the House of Commons, together with the Bill concerning Captains, Souldiers, &c. by D^r *Carew* and D^r *Hone*.

The Amendments and Proviso in the Bill concerning the Countess of *Bedfords* Joynture were twice read, and likewise the Lady *Russells* Petition was read. Whereupon it was appointed that the Proviso should be ingrossed in Parchment, and the Amendments in Paper.

The Committees in the Bill for the observation of Orders in the Exchequer (who were nominated on *Thursday* the 10th day of this instant *December* foregoing) were appointed forthwith to meet in the little Chamber near the Parliament Presence, to consider of a Proviso drawn by the Lord Chief Justice and the rest of the Judges, by direction of the Committees: which Proviso having been considered of accordingly, was brought into the House and presently twice read; And thereupon the said Proviso was commanded to be ingrossed.

The Bill for the assuring the Patronage of the Vicaridge of *Rotherston* in the County of *Chester*, and a Scholars room in the Cathedral Church of Christ in *Oxon* (of the Foundation of King *Hen.* 8th) by the Dean and Chapter of the said Cathedral Church, to *Thomas Venables* Esquire and his Heirs for ever, was read *secundâ vice*. But no mention is made either of the Commitment or Engrossing, the supposed cause or reason of which omission see more at large on *Monday* the 23th day of *November* foregoing.

Relation was made by M^r Attorney of the Conference with the Committees of the House of Commons touching Amendments of the Bill of Letters Patents, &c. Whereupon because the Committees of both Houses were not agreed, it was thought good they should meet again upon

Monday

Monday Morning being the 14th day of this instant *December*, and should have Authority to agree touching the setting down and penning of the said Amendments, and reducing of them to a certainty, together with the Committees of the House of Commons coming with the like Authority, that afterwards the same might be presented to the Judgment of the House. This Motion was sent down by Dr Carew and Dr Hone, and was accepted. *Vide* concerning this matter on Thursday the 17th day of this instant *December* ensuing.

On Monday the 14th day of *December*, to which day the Parliament had been last continued on Saturday foregoing, the Bill for the better observation of certain Orders in the Exchequer set down and established by vertue of her Majesties Privy Seal, was read *tertia vice*; And the Proviso thought meet by the Committees to be added, was also read the third time.

The Bill for the Assurance of certain Mannors and Lands for part of a Jointure to Lucy Countess of Bedford; And the Provisoes and Amendments presented by the Committees to be added, were also read the third time; both which Bills were sent to the House of Commons for their consideration of the several Provisoes and Amendments, by the hands of Dr Smale and the Clerk of the Crown.

Four Bills also had each of them one reading; of which the last being the Bill for the Grant of four entire Fifteenths and Tenths granted by the Temporalty was read *secundâ vice*. But no mention is made either of the Commitment or ingrossing thereof, the supposed cause or reason of which omission see more at large on Monday the 23th day of *November* foregoing. *Vide* also concerning this Bill on Tuesday the 15th day of this instant *December* immediately following.

Two Bills were brought up to the Lords from the House of Commons; of which the second being the Bill for Confirmation of the Charter of King Edward the Sixth, of the three Hospitals of Christ, Bridewell and St Thomas the Apostle, to the Mayor, Commonalty and Citizens of London, was read *primâ vice*.

The Bill to confirm the Assurance of the Mannors or Farms of Sagebury alias Sadgebury and Obden, and other Hereditaments to Samuel Sands Esq; and John Harris Gent, and their Heirs; And the Bill for the Amendment of certain imperfections of a Statute made in the Eighth Year of her Majesties Reign concerning the true making of Hats, were each of them read *secundâ vice*: But no mention is made either of their Commitment or engrossing, the supposed cause or reason of which omissions see more at large on Monday the 23th day of *November* foregoing.

The Paper or Scroll concerning Belgrave was this day returned from the House of Commons subscribed by the Clerk of the Star-Chamber, and excuse made by them for not sending the same at the first. *Vide* concerning this matter on Thurs-

day the 10th day of this instant *December* foregoing.

Dominus Custos magni Sigilli continuavit præsens Parliamentum usq; ad horam secundam post Meridiem hujus instantis diei.

About which hour the Lord Keeper and divers Lords Assembling, Six Bills had each of them one reading; of which the third being the Bill for the Augmentation of the Jointure of Rachell Wife of Edward Nevill of Berling in the County of Kent was read *secundâ vice*: But no mention is made either of the Commitment or engrossing of the same, the supposed cause or reason of which omission see more at large on Monday the 23th day of *November* foregoing.

The Bill concerning the erecting of a Harbour and Bay in the North part of *Devon*, &c. was returned to the House by the Lord Steward with one Amendment, which was presently twice read.

The Bill prohibiting Fairs and Markets to be holden on Sunday, was read *secundâ vice*, and Committed: But in respect that all the Commitments of Bills this Parliament were of one and the same nature, wherein the Judges were always appointed to attend the Lords Committees, and never nominated as Joint Committees with them, (as see more at large discussed on Saturday the 7th day of *November* foregoing) therefore the said Committees names are in this place as in divers others purposely omitted, as being matter of no great moment; yet none of the Judges were appointed to attend upon the Lords Committees in this present last above-mentioned Bill, but only the Attorney General.

Upon Motion made by the Earl of Worcester, It was Ordered by the House that William Crayford Prisoner in the *Fleet* should come to make his humble submission before the Lords in the said House to Morrow by nine of the Clock in the Morning. *Vide* concerning this matter on Saturday the 19th day of this instant *December* ensuing.

The Council as well of the Company of Plasterers as Painters were appointed to be heard in the House to Morrow in the Afternoon. *Vide* touching this business on Monday the 18th day of this instant *December* following.

On Tuesday the 15th day of *December*, Three Bills had each of them one reading; of which the second being the Bill for the erecting and making a Harbour and Bay on the North part of *Devon* in the River of *Severn* for the Safeguard of Men and Shipping, and to the publick good of the Common-Wealth, was read *tertiâ vice*, and sent down to the House of Commons, for their considerations of the Amendments, by Dr Stanhop, Dr Smale and Dr Hone.

The Bill for the Grant of four entire Subsidies and eight Fifteenths and Tenths granted by the Temporalty, was read *tertiâ vice* & *expedit*.

Nota, That whereas in the Parliament which was begun and holden at *Westminster*, in Anno 35 Regin. Eliz. Anno Domini 1592. The Knights, Citizens

Citizens and Burgesſes of the Houſe of Commons were not drawn, without much and long diſpute both amongſt themſelves and with the Lords, to yield unto the Grant of three Subſidies and fix Fifteenths and Tenths (being a greater Gift than had been before ever given unto her Maſteſty) and that the ſame was then alſo aſſented unto in reſpect of the great dangers were newly threatned to her Maſteſty from *Rome* and *Spain*, with caution and promiſe nevertheleſs, that it ſhould not be drawn into Precedent for future times; Yet in the next Parliament which enſued in *an. 39 Regin. Eliz. Anno Domini 1596.* although none of the ſaid imminent dangers which had been feared in the above-mentioned thirty fifth Year of her Maſteſties Reign, had to that time come into any real Execution, the Houſe of Commons was notwithstanding again drawn to yield unto the ſame proportion of three Subſidies and fix Fifteenths and Tenths to be paid alſo to her Maſteſty within a ſhorter time. And now laſtly in this preſent Parliament in *an. 43, & 44 Regin. ejuſdem Anno Domini 1601.* the ſaid Houſe was finally drawn (in reſpect chiefly of the troubles of *Ireland*, where the Spaniard had ſet footing) to preſent unto her Highneſſe the extraordinary and great Gift of four Subſidies and eight Fifteenths and Tenths; The Bill whereof did this preſent *Tueſday* being the 15th day of this inſtant *December* paſſe the Upper Houſe upon the third reading, as it had formerly paſſed the Houſe of Commons on *Saturday* the 5th day of this inſtant Month foregoing, and had been then ſent up unto the Lords by M^r Comptroller and others, although the ſending up thereof at the ſaid time be very negligently omitted by *Thomas Smith* Eſq; Clerk of the Upper Houſe in the Original Journal-Book of the ſaid Houſe. From all which matters, laſtly, compared together, this one *Theſis* or Concluſion may be drawn, That whatſoever the Subject doth once yield unto, may be afterwards advanced, but ſeldom falleth.

The Bill for Naturalizing certain perſons born beyond the Seas was read *ſecundâ vice*.

The Bill for Confirmation of the Subſidy of the Clergy was read *primâ, ſecundâ & tertiâ vice*.

Memorandum, That at the ſecond and third reading of the ſaid Subſidy, the body of the Grant was omitted to be read according to the accuſtomed manner, and only the Preface and Confirmation of the Grant were read; And the Bill was ſent to the Houſe of Commons by M^r Serjeant *Telverton*, M^r Doctor *Stanhop* and M^r Doctor *Hone*.

Upon the humble Petition of *William Crayford* lately Committed to the Priſon of the *Fleet*, and upon his humble Submiſſion and acknowledgment of his offence, he was by the Order of the Court enlarged and ſet at liberty. *Vide* concerning this matter on *Saturday* the 19th day of this inſtant *December* following.

Dominus Cuſtos magni Sigilli continuavit præ-

ſens Parliamentum uſq; ad horam ſecundam poſt Meridiem hujus inſtantis diei.

About which hour the Lord Keeper and divers other Lords being Aſſembled, the Bill for Naturalizing of certain perſons born beyond the Seas was read *tertiâ vice & expedit*.

Eight Bills were brought up to the Lords from the Houſe of Commons; of which the firſt being the Bill for continuance of divers Statutes and for repeal of ſome others, And the ſecond being againſt the transportation of Ordnance, Gun Metal, Iron Oar, Iron Mine and Iron Shot, were each of them read *primâ vice*.

On *Wednesday* the 16th day of *December*, the Bill for re-edifying, repairing and maintaining of two Bridges of the River of *Eden* near the City of *Carlisle* in *Cumberland* was read *primâ & ſecundâ vice*.

Seven Bills of no great moment had each of them one reading; of which the fourth being the Bill for the continuance of divers Statutes, and for repeal of ſome others, And the fifth to redreſs the miſemployment of Lands, Goods and ſtock of money heretofore given to charitable uſes, were each of them read *ſecundâ vice*: but there is no mention made either of their commitment or ingroſſing, the ſuppoſed cauſe or reaſon of which omiſſion ſee more at large on *Monday* the 23th day of *November* foregoing.

Eight Bills were brought up to the Lords from the Houſe of Commons by M^r Secretary *Cecill*, Sir *Walter Raleigh* and others; of which the firſt being the Bill for ending and appeaſing of all Controverſies, matters and debates between *Francis Kettlebie* of the one part, and *Andrew Kettlebie* and *Jane* his Wife of the other part; and the ſecond being for the recovery of many thouſand Acres of Marſh and other grounds ſubject commonly to ſurrounding within the Iſle of *Ely* and Counties of *Cambridge*, *Huntington*, *Northampton*, *Lincoln*, *Norfolk* and *Suffolk* were each of them read *primâ vice*; And alſo the fifth being the Bill for the neceſſary relief of Souldiers and Mariners was read *primâ vice*.

A Meſſage was delivered from the Houſe of Commons by M^r Comptroller and others, that the ſaid Houſe was not ſatiſfied concerning the Proviſo added by the Lords to the Bill Intituled An Act for the better obſervation of certain Orders in the Exchequer, and therefore deſired Conference with ſome of their Lordſhips about the ſame.

The Conference was yielded unto and appointed to be this Afternoon in the Outward Chamber.

The Bill Entituled An Act for Reformation of deceits of certain Auditors, &c. being returned to the Houſe with certain Proviſoes and Amendments, the Bill with the ſame was forthwith twice read and Ordered to be ingroſſed.

Upon Conference with the Houſe of Commons concerning the Bill for Confirmation of Grants made to the Queens Maſteſty, &c. It was agreed

agreed by the Committees of both Houses, that certain Proviso's and Amendments should be added to the said Bill; which being returned to the House were presently twice read, and so commanded to be ingrossed: And thereupon the Bill it self with the said Proviso's and Amendments was read the third time and sent to the House of Commons for their consideration of the same, by M^r Attorney General and D^r Stanhop.

Dominus Custos Magni Sigilli continuavit præsens Parliamentum usq; ad horam secundam post meridiem instantis diei.

About which hour the Lord Keeper and divers other Lords Assembling, Eleven Bills had each of them one reading; of which the Bill for the recovery of many thousand Acres of Marsh Grounds subject commonly to surrounding within the Isle of Ely, &c. The 6th being for the redress of certain Abuses and Deceits used in Painting, The 7th concerning matters of Assurances among Merchants, And the 8th being the Bill for Assize of Fuel were each of them read *secundâ vice*.

Upon the meeting this Afternoon of those of the House of Commons appointed to confer with the Lords Committees in the Bill intituled An Act for the better observation of certain Orders in the Exchequer, &c. (who were appointed on Thursday the 10th day of this instant Decem. foregoing) concerning a Proviso added by the Lords to that Bill, after some debates of the Committees on both parts, thereupon those of the House of Commons did signify, that the said House would allow of the said Proviso, so as the same might be in some certain point amended. Whereupon a question grew between them, Whether the said Amendment of the Proviso should be made in the Upper House (upon notice given thereof by the Committees) and so be sent down again, or else be made in the House of Commons: which doubt being reported by the Lords Committees by Order and Appointment of the House, It was agreed by the common consent, that the Amendments should be made in the House of Commons and sent up in Paper, and to be here inserted in the body of the Proviso. Which Order was by the Lords Committees signified to the Committees of the House of Commons, and they thereunto assented.

Whereas it hath been accustomed in former Parliaments that towards the end of a Parliament, a Collection should be made amongst the Lords for the Poor, and it was this day moved by the Lord Archbishop of Canterbury, that the like Collection might be made at this time; It was upon this Motion Ordered by the House, that there should be such a Collection made accordingly: And that the Lord Bishop of Chester, the Lord Bishop of Peterborough, the Lord Zouch and the Lord Rich should be Collectors of the same, and after such rates as have been usually given and bestowed by the Lords for the said Charitable purpose in former Parliaments, and they to take Order for the distribution of it.

On Thursday the 17th day of December the Bill for the relief of the Poor was read *secundâ vice*.

It was Ordered that Edward Comber of the Middle-Temple should be presently sent for and brought before the Lords in the House for that (contrary to the Privilege of this Court) he hath caused one Thomas Gerrard Gentleman to be Arrested. And it was likewise Ordered, that such Persons as made the Arrest or did assist the same, shall likewise be sent for by the Serjeant at Armes to answer their doings therein.

The Bill for the necessary relief of Souldiers and Mariners was read *secundâ vice*.

Two Bills were brought up to the Lords from the House of Commons; of which the first being the Bill for the Assurance of certain Mannors and Lands for part of a Joynture to Lucy Countess of Bedford was returned expedited.

Two Bills also had each of them one reading; of which the second being the Bill for Reformation of Deceits and Frauds of certain Auditours and their Clerks in making deceitful and untrue Particulars, was read *tertiâ vice*, and sent to the House of Commons by D^r Carew and D^r Hone.

The Bill was brought back from the House of Commons intituled An Act for confirmation of Grants made to the Queens Majesty, and of Letters Patents made by her Highness to others, *expedit*.

Nota, That there was much dispute and some difference between the two Houses touching this Bill, after that it had been sent up from the House of Commons to the Lords, and sent down again from their Lordships to the House of Commons with divers Amendments; as see on Thursday the 19th day of November, and on Monday the 23th day of the same Month last past, as also on Monday the 7th day, Tuesday the 8th day, Wednesday the 9th day, Thursday the 10th day and Friday the 11th day of this instant December foregoing.

The Bill for Confirmation of the Subsidy granted by the Clergy was returned from the House of Commons expedited.

The Bill concerning the Assize of Fuel was read *tertiâ vice* & *expedit*.

Dominus Custos Magni Sigilli continuavit præsens Parliamentum usq; ad horam secundam post meridiem hujus instantis diei.

About which hour the Lord Keeper and divers other Lords assembling, Five Bills of no great moment had each of them one reading; of which the second being the Bill for the strengthening of the Grants made for the Maintenance and Government of the House of the Poor called S^t Bartholomews Hospital, of the Foundation of King Hen. the Eighth, was read *secundâ vice*.

The Bill for the recovery of many hundred thousand Acres of Marshes and other Grounds subject commonly to surrounding within the Isle of Ely and Counties of Cambridge, Huntington, Northampton,

Northampton, Lincoln, Norfolk and Suffolk was read *tertiâ vice* & *expedit*.

Upon the third reading of this Bill it was moved by the House, that certain Additions might be put in the Title of the Bill and Amendments in some part of the body thereof, and the Lord Chief Justice and M^r Attorney were required to draw the same, which was done presently by them and presented to the House. Whereupon the said Additions and Amendments were thrice read, and then sent to the House of Commons, for their consideration of the same, by M^r Attorney and M^r D^r *Hone* who returned presently from the House of Commons with their allowance of the said Amendments and Addition in the Title of, of the Counties of *Essex, Suffex, Kent* and the County Palatine of *Durham*.

Three Bills also had each of them one reading; of which the last being the Bill to make the Lands, Tenements and Hereditaments of *Edward Lucas* Gentleman deceased, Executor of the last Will and Testament of *John Flowerden* Esquire deceased, lyable, &c. was read *secundâ vice*; but no mention is made either of the Commitment or Engrossing thereof, the reason or cause of which omission, see more at large on *Monday* the 23^d day of *November* foregoing.

Conference was desired by the House of Commons with some of their Lordships about the Bill sent to them this day concerning the reformation of Deceits and Frauds of certain Auditors, &c. The Conference was yielded unto and appointed to be presently at the outward Chamber near the Parliament Presence.

On *Friday* the 18th day of *December*, Four Bills had each of them one reading; of which the last being the Bill for the Queens Majesties most Gracious General and free Pardon was read *primâ vice*, and sent to the House of Commons by M^r Attorney General and M^r Doctor *Stanhop*.

Memorandum, that whereas a Bill hath been presented to the High Court of Parliament by the Company of the Mystery or Trade of Painters, making thereby complaint against the Company of Plaisterers for and concerning certain wrongs pretended to be done to the said Painters by the Company of Plaisterers, in using some part of their Trade of Painting, contrary to the right of their Charter (as is pretended) and humbly seeking by the said Bill, reformation of the said wrong; And whereas the said Bill passed not the Upper House of Parliament for just and good reasons moving the Lords of the Higher House to the contrary: Yet nevertheless the Lords of the Upper House have thought it meet and convenient that some course might be taken for reformation of any such wrong as may be found truly complained of and fit to be remedied, and for the settling of some good agreement and Order for the said Painters and Plaisterers, so as each sort of them might exercise their Trade conveniently without impeaching one the other: It is therefore Ordered by the Court of the Upper

House of Parliament, that the said complaint and cause of the said Painters (which proceeded not in Parliament) shall be referr'd to the Lord Mayor of *London*, and the Recorder of *London*, to be heard and examined, adjudged and Ordered as in Justice and Equity shall be found meet; And that at the time or times of the hearing of the said Cause, the Lord Chief Justice of *England*, the Lord Chief Justice of the Common Pleas, M^r Justice *Gawdie*, M^r Baron *Clark* and M^r Attorney General or any four, three, or two of them, shall assist and give their help for the making and establishing some good Order and Agreement. And that the said parties complainant, and also the Company of the Plaisterers shall observe and keep such Order as by the said Mayor, the Lord Chief Justice of *England*, the Lord Chief Justice of the Common Pleas, M^r Justice *Gawdie*, M^r Baron *Clark*, M^r Attorney General, M^r Recorder of *London*, or any six, five, four or three of them (whereof the Lord Mayor and the Lord Chief Justice of *England* or Lord Chief Justice of the Common-Pleas to be two) shall be set down and prescribed. *Vide* concerning this matter on *Monday* the 14th day of this instant *December* foregoing.

Memorandum, that whereas *William Crayford* of *Mongham* in the County of *Kent* Gentleman, was this day brought before the Lords Spiritual and Temporal in the Upper House of Parliament to answer an Information made against him, that he had procured and suborned his Son *William Crayford* to lay sundry Executions and Outlawries on *William Vaughan* Gentleman Servant to the Earl of *Shrewesbury*, contrary to the privilege of the Court; And the said *Crayford* having been heard in the presence of *William Vaughan* what he could say concerning the said Information, wherein he protested that he was guiltless, and that his said Son had not in any sort received such direction from him as was informed; It was therefore by the Court thought meet and so Ordered, that the examination and determining of the controversies and Suits depending between the said *Crayford* and *Vaughan* should be referr'd to the Earl of *Worcester*, the Lord Bishop of *London* and the Lord *Cobham*; And that they the said *Crayford* and *Vaughan* should enter into good and sufficient Bonds each to other to stand to, observe and perform such Award and Arbitrement as the said Lords shall make and set down between them. *Vide* concerning this Matter on *Saturday* the 19th day of this instant *December* immediately following.

On *Saturday* the 19th day of *December* a Motion was made in the House, for avoiding of all further controversy between *William Crayford* and *William Vaughan* Gentlemen, That forasmuch as each of them took mutual Exception one to the other touching the Bonds whereinto they formerly entred by Order of the Court (the said *William Crayford* alledging that it sufficed not *William Vaughan* alone to be bound, because his Heirs or some other claiming by and

from him might trouble and molest him: And that the said *Vaughan* is insufficient; And the said *William Vaughan* alledging, that if *William Crayford* were bound alone, his Sons or Heirs might molest and trouble the said *Vaughan* without hazard of the Bond) some further Order might thereupon be taken; It was therefore this day Ordered by the Court, that the said *William Crayford* and his eldest Son *Edward Crayford* should enter into sufficient Bond unto the said *William Vaughan*, without hazard of the Bond, for themselves and their Heirs, that they and every of them shall stand to the Award and Arbitrement of the Earl of *Worcester*, the Lord Bishop of *London* and the Lord *Cobham*, or any two of them; And that also the said *William Vaughan* shall enter into like Bond with a sufficient surety for himself and his Heirs, to stand to the said Award of the Lords before-mentioned, or any two of them so as such Award be made before the Feast of *Easter* next following. And moreover, it is Ordered by the Court that if they or either of them shall refuse to enter into Bond according to the said Order, That the Lord Keeper (notwithstanding the ending of the Parliament, and though it be after the time) shall commit them or either of them to close Prison so refusing, there to remain until the party refusing be conformable to the said Order. *Vide* concerning this matter on *Tuesday* the first day, *Wednesday* the second day, *Thursday* the third day, *Friday* the fourth day, *Monday* the fourteenth day, *Tuesday* the fifteenth day, and on *Friday* the eighteenth day of this instant *December* foregoing.

Dominus Custos Magni Sigilli continuavit præsens Parliamentum usq; ad horam secundum post meridiem hujus instantis diei.

About which hour in the Afternoon the Queens Majesty was personally present, being accompanied with the Lord Archbishop of *Canterbury*, Sir *Thomas Egerton* Knight Lord Keeper of the Great Seal, the Lord *Buckhurst* Lord Treasurer of *England*, and with divers other Lords Spiritual and Temporal; but what was there done is not mentioned in the Original Journal of the Upper House, and is therefore supplied out of a very elaborate private Journal of the House of Commons.

Her Majesty with divers Lords Spiritual and Temporal being set in the Upper House in their Parliament Robes between two and three of the Clock in the Afternoon, the Knights, Citizens and Burgesses of the House of Commons had notice thereof, and therupon repaired thither with *John Croke* Esquire Recorder of *London* their Speaker, who being placed at the Rail or Bar at the lower end of the said Upper House, after he had made three Reverences to her Majesty sitting under a rich Cloth of State, spake to this effect following.

That Laws were not at first made with humane Pen, but by Divine Ordinance; That

politick Laws were made according to the evil conditions of Men, and that all Laws serve not for all times, no more than one Medicine for all Diseases; If he were asked, what were the first and chiefest thing to be considered, he would say, *Religion*. So Religion is all in all, for Religion breeds Devotion, Devotion breeds Zeal and Piety to God, which breedeth Obedience and Duty to the Prince, and obedience of the Laws, which breedeth Faithfulness and Honesty and Love, Three necessary and only things to be wished and observed in a well Governed Common-Wealth. And that her Majesty by planting true Religion had laid such a Foundation upon which all those Virtues were so planted and builded, that they could not easily be rooted up and extirpated. And therefore he did acknowledge, that we ought and do acknowledge that we will praise God and her Majesty for it. And then he descended to speak of Governments and Laws of Nations, among and above all which he principally preferred the Laws of this Land, which he said were so many and so wise, that there was almost no offence but was met with in a Law. Notwithstanding her Majesty being desirous for the good of her Land to call a Parliament for redress of some old Laws and making some new, her dutiful and loving Subjects having considered of them, have made some new, and amended some old, which they humbly desire may be made Laws by her most Royal Assent which giveth life unto them. And so after thanks given for the Pardon by which we dread your Justice and admire your mercy, and a prayer unto her Majesty that she would accept as the Testimonies of our Love and duty offered unto her, with a free Heart and willing Spirit, Four entire Subsidies and Eight Fifteenths and Tenths, to be collected of our Lands and Livelihoods; In speaking whereof he mistook and said, Four entire Fifteenths and Eight Subsidies, but he was remembred by some of the Council that stood near about him, and so spake right as aforesaid; and having craved pardon for his offence, if either he had forgotten himself in Word or Action, he ended.

The which the Lord Keeper Answered thus in effect. First as touching her Majesties proceedings in the Laws for her Royal Assent, that should be as God should direct her Sacred Spirit. Secondly, For your presentation of Four Subsidies and Eight Fifteenths and Tenths; Thirdly, your humble thankfulness for the Pardon, for them and yourself; I will deliver her Majesties Commandment with what brevity I may, that I be not tedious to my most gracious Sovereign. First she saith, touching your proceeding in the matter of her Prerogative, that she is perswaded Subjects did never more dutifully; And that she understood you did but *obiter* touch her Prerogative, and no otherwise but by humble Petition; And therefore, that thanks that a Prince may give to her

her Subjects, she willingly yieldeth: But she now well perceiveth, that private respects are privately masqued under publick presence. Secondly, touching the presentation of your Subsidy, she specially regardeth two things, both the persons and the manner. For the first, he fell into Commendations of the Commonalty; for the second, the manner, which was speedy, not by perswasion or perswasive inducements, but freely out of duty with great contentment. In the thing which ye have granted, her Majesty greatly commendeth your confidence and Judgment; And though it be not proportionable to her occasions, yet she most thankfully receiveth the same as a loving and thankful Prince; And that no Prince was ever more unwilling to exact or receive any thing from the Subject than she our most gracious Sovereign; For we all know she never was a greedy Grasper nor strait-handed Keeper; And therefore she commanded me to say, that you have done (and so she taketh it) dutifully, plentifully and thankfully.

For your self, Mr Speaker, her Majesty commanded me to say, that you have proceeded

with such Wisdom and Discretion, that it is much to your Commendations; and that none before you hath deserved more.

And so he ended after an Admonition given to the Justices of the Peace, that they would not deserve the Epithetes of prolling Justices, Justices of Quarrels, who counted Champetrie good Chevasance, Sinning Justices who do suck and consume the wealth and good of the Commonwealth; and also against those who lie (if not all the Year, yet) at least three quarters of the year in this City of *London*.

After the before-recited Speeches were ended as abovesaid, then were the titles of all the Acts read in their due Order.

After which ended, and her Majesties Assent thereunto, then the Dissolution of the Parliament followed by the Lord Keeper, which is entred in the Original Journal-Book of the Upper House in these words following, *viz.*

Dominus Custos magni Sigilli ex mandato Domine Regine Dissolvit hoc præsens Parliamentum.

T H E

JOURNAL

O F T H E

House of COMMONS.

A Journal of the Passages of the House of Commons in the Parliament holden at Westminster, Anno 43 Regiæ Eliz. Anno Domini 1601. which began there on Tuesday the 27th Day of October, and then and there continued until the Dissolution thereof, on Saturday the 19th Day of December ensuing, Anno 44 Regiæ ejusdem.

THIS large and copious Journal containeth in it not only a number of excellent Passages concerning the Orders and Priviledge of the House of Commons, which are usually found in other Journals of the same House; but also much matter touching the publick State, and that great grievance of the Realm by reason of Patents of Priviledge or Monopolies, in the abdication or censure of which her Majesty most graciously concurr'd with her Subjects: In which also a great number of Speeches and other Passages which were not found in the Original Journal Book of the said House, are supplied out of a Journal of the same House taken at this Parliament by one of the Members thereof. But yet to avoid confusion, whatsoever is here inserted out of the said private Journal, is particularly distinguished from that which is taken out of the above-mentioned Original Journal-Book of the House of Commons, by some Animadversion or expression thereof both before and after the inserting of it.

The tenth Parliament of our Sovereign Lady *Elizabeth* by the Grace of God of *England, France and Ireland* Queen, Defender of the Faith, &c. begun at *Westminster* upon *Tuesday* being the 27th day of *October* in the forty third year of her Majesties Reign, upon which day many of the Knights for the Shires, Citizens for

Cities, Burgeses for Boroughs, and Barons for Ports returned into the same Parliament did make their appearance at *Westminster* aforesaid before the Right Honourable the Earl of *Nottingham* Lord Admiral and Lord Steward of her Highnesses most Honourable Household, and did then and there take the Oath according to the Statute in that behalf made and provided, tendered by the said Earl, or by his Deputies, who were *Sir William Knolls* Comptroller of her Majesties Household, *Sir John Stanhop* her Highness Vice-Chamberlain, *Sir Robert Cecill* Principal Secretary, and *John Herbert* Esq; second Secretary. After which all the said Lord Steward's Deputies and some others of the House of Commons having gotten into the Upper House, and her Majesty with divers of the Lords Spiritual and Temporal being set, the greatest part of the residue of the Members of the said House of Commons had notice thereof about four of the Clock in the Afternoon, being at that time still sitting in the said House and expecting her Majesties Pleasure to be sent for up unto the said Upper House according to the antient usage and custom of former Parliaments; And thereupon the said residue repaired immediately unto the Door of the said House, but could not be let in, the Door being still kept shut, and so returned back again unto their own House much discontented. Shortly after which time the Right Honourable *Sir William Knolls*, one of the Deputies aforesaid, came

came down into the said House of Commons, and so being there set with the said residue for some little space of time, M^r *Richard Lieffe*, one of the Barons returned into this present Parliament for the Port of *Hastings* in the County of *Suffex*, stood up, and shewing unto the said Comptroller the wrong done unto the greatest part of the Members of this House, in their not being suffered to come into the said Upper House to hear her Majesties Pleasure signified by the Mouth of the Lord Keeper of the Great Seal of *England*, humbly desired the said Comptroller to be a means, that the effect thereof might be imparted unto some of the Members of this House for their better satisfactions. Which as his Honour did think very reasonable and meet to be done at convenient time, so did he impute the said fault wholly to the Gentleman-Usher of the said Upper House. Which done, and the residue of the said Deputies being shortly after come into the said House of Commons, and there sitting, the said M^r Comptroller after some pause stood up, and shewing unto this House that his place was to break the silence of this House for that time, and putting the House in mind to make Choice of a Speaker according to her Majesties Pleasure given unto them in that behalf, shewed that in his opinion he thinketh M^r *John Croke*, Recorder of *London*, returned one of the Knights for the City of *London* into this present Parliament, to be a very fit, able and sufficient Man to supply the whole Charge of the said Office of Speaker, being a Gentleman very Religious, very Judicious, of a good Conscience, and well furnished with all other good parts; yet leaveth nevertheless the further consideration thereof to this House; and so did sit again. Which done, and no one contrary Voice at all being delivered, the said M^r *Croke* after some large Pause first taken stood up, and very Learnedly and Eloquenty endeavoured to disable himself at large, for the burthen of that charge, alledging his great defects both of Nature and of Art fit to supply that place, and shewing all full Complements for the same to abound in many other Learned and grave Members of this House; in the end prayed most humbly that they would accept of his due excuse, and be pleased to proceed to a new Election; and did then sit down again. Whereupon the said M^r Comptroller did stand up, and said, that hearing no negative Voice he took it for a due Election, and demanding the further opinion of this House therein, they all Answered Yea, and gave their Assents. Whereupon the said M^r Comptroller and the Right Honourable Sir *John Stanhop* her Majesties Vice-Chamberlain immediately went to the said M^r *John Croke*; and did set him in the Chair; which done, the said M^r *Croke* after some little pause did stand up, and yielding unto this whole House most humble thanks for their great good opinion of him and loving favour towards him; and praying them to accept of his willing mind and readiness, and to bear

with his unableness and wants in the service of this House, referr'd himself to their good favours. And then the said M^r Comptroller signified further unto this House, that her Majesties Pleasure was, that the Members of this House having made choice of their Speaker should present him unto her Highness upon *Friday* next following in the Afternoon. And so then every man departed and went his way.

On *Friday* the 30th day of *October* about one of the Clock in the Afternoon the Knights, Citizens and Burgeses of the House of Commons with *John Croke* Esq; Recorder of *London*, their Speaker Elect, Assembled together in their own House, and having stayed there a good while silent; and attending her Majesties Pleasure to be sent for to the Upper House, and hearing nothing thereof, they did at length depart out of their own House and went of themselves towards the said Upper House there to be more near and ready to come before her Highness at such time as she should be pleased to send for them, which she did accordingly after they had waited at the said Upper House Door about half an hour; where the Speaker aforesaid being presented unto her Majesty, was, notwithstanding his excuse made according to the usual form to the contrary, approved and allowed by her. And upon her said Majesties granting of such Petitions of course as the said Speaker did lastly make in the name of the House of Commons, touching liberty of Speech, free access to her Majesty, and freedom from Arrests and Suits, he with the rest of the said Commons House returned back to their own House, the Serjeant of the said House carrying the Mace before the said Speaker into the said House.

Where the said Speaker after some good pause of time did signify unto the Members of the said House (being most of them set in their several places) that her Majesties pleasure delivered by the Lord Keeper was, that this Parliament should be a short Parliament; And therefore she willed that the Members of this House should not spend the time in frivolous, vain and unnecessary Motions and Arguments, but only should bend all their best endeavours and travails wholly in the devising and making of the most necessary and wholesome Laws for the good and benefit of the Common-Wealth and the Realm. And further shewed, that her Highness did purpose that the Members of this House should have convenient scope of time to repair home into their Countries before *Christmas* for her Majesties better Service in their Countries; And declared withal, that in regard of some matters of great importance her Highness had Adjourned this Court till *Thursday* next at nine of the Clock in the Forenoon. Which done, the Members of this House did forthwith rise and depart without reading any Bill at all, by reason of the Adjournment, taking the same to extend as well to this House as to the said Upper House; but were mistaken, as upon the next Morning further afterwards appeared

appeared upon advertisement of the said Lord Keeper to Mr. Speaker, that the said Adjournment did only tend to the said Upper House, and not to this House.

Nota, that in the last foregoing Parliament *de Anno 39 & 40. Regina Eliz. Anno Domini 1597.* The House of Commons upon a like mistake, which happened chiefly through the negligence of *Christopher Yelverton* Serjeant at Law their Speaker at that time, was Adjourned, upon *Thursday* the 27th day of *October* unto *Saturday* following being the 5th day of *November* in *Anno prædicto*, where this said matter was fully handled by a large Animadversion upon it, *ut vide ibidem.*

Nota also, That the passages of these two foregoing days are more orderly and copiously set down in the Original Journal-Book of the House of Commons than usual, and are therefore wholly inserted out of it, with the addition and alteration only of some few matters of course.

On *Saturday* the 31th day of *October* Mr *Francis Bacon*, returned into this present Parliament one of the Burgesses for the Borough of *Ipswich* in the County of *Suffolk*, and also for the Borough of *St. Albans* in the County of *Hartford*, shewed unto this House that he maketh choice to stand for the said Borough of *Ipswich*. Whereupon it was Ordered by this House, that a Warrant be made to the Clerk of the Crown-Office in the Chancery for the awarding of a new Writ for returning of another Burgess for the said Borough of *St. Albans* in lieu and stead of the said Mr *Francis Bacon*.

Mr *George Goring*, one of the Burgesses for the Borough of *Lewes* in the County of *Sussex*, shewed on the behalf of Mr *Goddard Pemberton* returned into this present Parliament a Burgess for the said Borough of *Lewes*, and also for the Borough of *Peterborough* in the County of *Northampton*, that the said Mr. *Pemberton* maketh choice to stand for the said Borough of *Peterborough*. It is thereupon Ordered by this House that a Warrant be made to the Clerk of the Crown-Office in the Chancery for the awarding of a new Writ for the Chusing and returning of another Burgess for the said Borough of *Lewes* in lieu and stead of the said Mr *Goddard Pemberton*.

A Committee was appointed to travel in the Examination of such Returns and matters of privilege as shall happen questionable in this House during this present Sessions of Parliament, and to report their Proceedings therein unto this House from time to time for the further resolution of this House to be had in the same accordingly, *viz.* All the Privy-Council being Members of this House, Mr *Thomas Knivet*, Mr Attornies of the Dutchy and Court of Wards, Sir *Francis Hastings*, Sir *Robert Wroth*, Mr *Michael Stanhop*, Mr *Francis Bacon*, Sir *Edward Hobbie*, Mr Solicitor, Mr *George Moore*, Mr *Peake*, Mr Serjeant *Heyle*, Mr *Leife*, Mr *Jerom Horsey*, Mr *Henry Hubberd*, Sir *Walter Raleigh*, Sir *Robert*

Knolls, Sir *Edward Stafford*, Mr *Henry Maynard*, Mr *Snigg*, Mr *Oldworth*, Mr *Boyse*, Mr *Wiseman*, Mr *Lake*, Mr *John Hare*, Mr Serjeant *Harris*, Sir *Richard Knightley*, Mr *Francis Fortescue*, Mr. *Robert Wingfield* and Mr. *William Coke*, who were appointed to meet upon *Thursday* next in the Afternoon in the Court of Wards; And the Note of the Committees names was delivered to Sir *Edward Hobbie*.

The Bill for the strengthening of certain Grants made for the maintenance and Government of certain Hospitals in *London*, was read the first time.

The Bill also against excessive and common Drunkenness had its first reading.

On *Monday* the second day of *November*, Two Bills had each of them one reading; of which the second being the Bill to preserve the Breed of Horses, and to avoid the common stealing of them, was read the first time. After which divers Speeches were made, which are transcribed out of the abovesaid private Journal.

Sir *Edward Hobbie* made a Speech for the abridging of Penal Laws, which he said were like Thorns that did prick, but did yield no Fruit; And that they being not looked unto, it bred in us an alteration in manners: And therefore the Proverb must needs be fulfilled *Morum mutatio mutationem legum requirit.* Times are not as they have been, and therefore the necessity of time makes a necessity of alteration of Laws, with many other circumstances touching the shortness of Statutes, and commending the proceeding of former ages, he concluded with a desire of a Committee.

Which Speech was seconded by Mr Serjeant *Harris*, who said that in the 27th year of the Queen the like Motion had been made, and that then by reason of the shortness of the time and suddain ending of the Parliament, nothing was done therein: Notwithstanding he said, that now this motion being so happily made, and that then by reason of the shortness of the time nothing was done, he thought it fit for a Committee.

He was seconded again by Mr *Wiseman* of *Lincolns-Inn*, who was of the same mind, and said, That divers particular Laws of his knowledge were now both needless to be performed, as also dangerous to the Subject by reason of the Penalties. Whereupon the House agreed that the said Bill should be committed, and Committees were nominated (which are inserted out of the Original Journal-Book it self) *viz.* All the Privy Council being Members of this House, Mr *D^r Caesar*, Master of Requests, Sir *Edward Hobbie*, Mr *Wiseman*, Mr *D^r Crompton*, Mr *D^r Perkins*, Mr *D^r Dunn*, the Knights and Citizens for *London*, the Knights and Citizens for *Normich*, Sir *Walter Raleigh*, Mr *Tanfield*, Mr *Francis Bacon*, Mr *Robert Wingfield*, Sir *Robert Wroth*, Sir *George Moore*, Sir *Moile Finch*, Sir *John Harrington*, Sir *Thomas Leighton*, Mr *Snigg*, Mr *Phillipps*, Mr *Winch*, Mr. *Tho. Culpepper*, Mr. *Hide*, Mr. *Oldworth*,

worth, Mr. Maynard, the Lord Howard, Sir Richard Knightley, Sir Robert Carey, the Lord Clinton, Mr. Dale, Mr. William Lane, Mr. Michael Stanhop, Mr. Warcop, Sir Henry Nevil, Sir Arthur George, Sir Edward Hungerford, Sir William Strowde, Sir William Courtney, Mr. John Egerton, Mr. Dr. James, Sir Crew Rawleigh, Mr. Boyse, Sir Henry Brunker and Sir Thomas Gerrard, who were appointed to meet in the Exchequer Chamber upon Friday next in the Afternoon.

The Bill for the explanation of such Statutes as touch Leases to be made by Archbishops and Bishops, was read the first time.

Monition was this day given by Mr. Speaker unto the Members of this House, that they would forbear from henceforth to come into this House with their Spurs on, in regard it is very offensive to many others of the residue of them. Thus far out of the Original Book it self.

Others also (although nothing were done therein) moved to have Boots and Rapiers taken away, as is set down in the above mentioned private Journal.

On Tuesday the 3^d day of November, Upon a Motion made by Mr. Speaker on the behalf of Mr. Fulk Onslow the Clerk of this House, for that it hath pleased God to visit him with an Ague, That it would please this House to vouchsafe their allowance unto Cadwallader Tydder his Servant to execute the place in his absence as Deputy unto the said Mr. Onslow, until it shall please God to restore him to health. Which was willingly assented unto by the whole House, and by Order of the whole House the said Tydder took the Oath of Supremacy.

Nota, That there was a like precedent in the second meeting of the Parliament (after an Adjournment thereof) in Anno 28 & 29. Reg. Eliz. An. Dom. 1586. when upon the like Motion of the Speaker on Wednesday the 15th day of February, William Onslow kinsman of the said Mr. Fulk Onslow, being at that time a Member of the House of Commons, was during his sickness allowed by the said House to exercise and supply the place of Clerk thereof as at this present time Cadwallader Tydder servant to the said Mr. Fulk Onslow was licensed to supply the same.

Six Bills of no great moment had each of them one reading; of which the last being the Bill for the better preserving the breed of Horses, and to avoid the common stealing of them, was upon the second reading committed unto Sir Edward Hobbie, Sir Robert Wroth, Mr. Walter Cope, Mr. Fulk Grevil, Mr. Hide and others, who were appointed to meet on Monday next in the Exchequer Chamber at two of the Clock in the Afternoon; And the Bill and Committees names were delivered to Sir Robert Wroth.

The Bill to reform the Abuses in Inns, Victualling-Houses, &c. was read the second time, and being put to the question for committing, was upon the question refused to be committed.

Upon a Motion made by Mr. Leife, that whereas many Members of this House, which could not

come to the Upper House upon the first day of this Parliament (the Door being kept shut) to hear her Majesties pleasure signified by the Mouth of the Lord Keeper, of the Causes of her Majesties calling of this Parliament, they might in some sort be satisfied of the same, He putteth Mr. Comptroller in mind of his Honours promise to relate the same unto them. Who thereupon desired Mr. Secretary Cecil (because he the said Mr. Comptroller was not there himself) to make the same relation; which the said Mr. Secretary doing at large, The chief intent and scope thereof appeared to aim at the setting forth of two things especially, the First the Danger the Kingdom stood in, in respect of the power and malice of the Spaniard: the Second that timely provision of Treasure might be made for the prevention. Thus far out of the Original Journal-Book it self. Mr Secretary Cecil's Speech, which followeth, being spoken after that he had repeated the Lord Keepers Speech, is inserted out of the beforecited private Journal of the House, in manner and form following.

For my own advice touching the particular Counsels of this House, I wish that we would not trouble our selves with any fantastick speeches or idle Bills, but rather such as be for the general good, both light in conception, and facile in execution. Now seeing it hath pleased you all hitherto with patience to hear me, if with your favour I may particularize and shew the grounds of the former delivered Speech touching the State of Ireland, I shall be very glad both for my own discharge and for your satisfaction. The King of Spain having quit himself of France by a base and servile Peace, forgetteth not to follow the Objects of his Fathers Ambition, England and the Low-Countries. He hath made Overtures of Peace, which if they might both be honourable and for the publick good, I hold him neither a wise nor an honest man would impugn them. He hath put an Army into Ireland, the number Four thousand Souldiers, under the conduct of a valiant, expert and hardy Captain; who chooseth rather than return into his own Country without any famous enterprize, to live and dy in this service. These Four thousand are three parts Natural Spaniards, and of his best expert Souldiers, except them of the Low-Countries: Those he could not spare, because of his enterprize of Ostend. And how dangerous the loss of that Town would be to this Land, I think there is no man of experience but can witness with me; For he would easily be Master of all that Coast, so that the Trade between England and the Low-Countries would be quite dissolved; Yea he would be so dangerous a Neighbour to us, that we which are now Tenants by discretion are likely shortly to be Tenants by the Courtesy. When he is our Neighbour of the Low-Countries, what Neighbour hath Spain to whom he shall not be troublesome.

I will shew you further what besides this he hath done, and how Eagle-eyed he is continually over

over us; To resist the Turks attempts, he hath sent Ten thousand Men; To the *Low-Countries* nine thousand; In an Enterprize of his own against the Turk he hath sent which being dispatched, those Souldiers shall return against the next Spring and second these four thousand men. Now in the Enterprize for *Ireland*, to resist those attempts in being, and the ensuing Provisions against us, let us consider the certainty of our Estate in *Ireland*; We have there an Army, and nothing but an Army, led even out of *England*, with what charge it brings to the Queen, what trouble to the Subject, what danger it is to them there left if the provision should fail, what hurt to the Common-Wealth by making things at a higher rate than otherwise they would be, I refer it to your Wisdoms to imagine. Over this, I assure you, it is beyond all Precedent and conjecture, his presence and cause of War there, is to defend the Catholick Cause, I mean, to tear her Majesties Subjects from her; for I may say she hath no Catholick obedient Subject there, because she standeth Excommunicate at this present by force of two Bulls of this Popes, by which the Subjects are absolved of their obedience. That you do only remember you do it *pro aris & focis*; Yea we do it for a Prince that desireth not to draw any thing extraordinary out of the Coffers of her Subjects. She selleth her Land to defend us, she supporteth all the Neighbouring Princes to gain their amities and establish our long Peace; Not these five, or seven, or ten years, but forty three Years for all our Prosperities. I hope I shall not see her Funeral upon which may be written, *Hic solum restat victrix Orientis*. And I pray God I may not. What we freely give unto her, she living bestows it to our Good, and dying doubtless will leave it for our profit. Thus have I out of mine own genius for mine own part delivered unto you what I know. And touching that I have spoken in performing your Commandment, I will take no thanks from you for my pains, for no man cares with less affection to speak in this Assembly, or desireth to gratifie any particular Member of this House more than my self.

Mr. George Moore moved, that whereas the Lord Keepers Oration was, that the greatest matters should be handled in the beginning of the Parliament, a Committee might be chosen to certifye the House what those matters were, that Order might be taken accordingly.

Thus far out of the aforesaid private Journal of the House of Commons. The Committees names who were appointed upon the aforesaid Motion of Mr. George Moore to consider what those weighty matters were, which had likewise in part been touched in Mr. Secretary Cecills Speech immediately foregoing, do now also follow out of the Original Book it self, which were these, All the Privy-Council being Members of this House, the Knights of the Shires, the Barons of the Cinque Ports, the Knights and Citizens for *London* and *York*, Sir Thomas Egerton, Mr.

Sollicitor, Sir Edward Stanhop, Mr. Serjeant Heile, Mr. Serjeant Harris, Mr. Henry Bruncker, Mr. Glasstock, Mr. Leonard, Sir William Harvey, Mr. Henry Hubberd, Sir William Strowde, the Burgeffes of *Totnesse*, Mr. Hide, Mr. Winch, Sir Richard Knightly, Sir Richard Hampden, My Lord Howard of Effingham, Sir Francis Darcy, Sir Robert Crosse, Mr. Tyne, The Citizens for *Norwich*, Mr. Francis Bacon, Sir Edward Hobbie, Mr. Doctor Caesar, Mr. Newdigate, Mr. Philipps, Mr. Robert Wingfield, Mr. Maynard, The Citizens for *Bristol*, Sir Matthew Brown, Mr. Jones for *Hereford*, Mr. Francis Moore, Mr. Mountague, Sir Moile Finch, Mr. Edward Barker, Sir John Egerton, Mr. Boice, Mr. Lake, Mr. Cope and Mr. Richard Warberton, who were appointed to meet in this House upon Saturday next at two of the Clock in the Afternoon. *Vide December 5. Saturday postea.*

On Wednesday the 4th day of November, the Bill for the better keeping of the Sabbath day, was upon the second reading committed unto Sir George Moore, Sir William Wray and divers others, who were appointed to meet this Afternoon in the *Middle-Temple Hall* at two of the Clock.

Thus far out of the Original Journal-Book of the House of Commons, the rest that follows touching the Election of Sir Andrew Nowell to be one of the Knights for *Rutlandshire*, being at the same time Sheriff of the said County, being but briefly and imperfectly set down, is therefore supplied out of the said private Journal of the House of Commons.

Mr. Serjeant Harris moved the House, that in respect great danger and inconvenience might grow by the want of any one particular Member of this House, Therefore he thought good to certifye the want of a Knight for *Rutlandshire*; For he said, that Sir Andrew Nowell being Sheriff of the County had returned himself jointly with Sir John Harrington to be Knight, which he took in Law to be a void Return, because it is against the expresse words of the Writ, which are, *Ita quod neq; tu neq; aliquis alius Vicecomes alterius Comitatus eligatur*, &c. which he thought good to move the House in referring it to their considerations; And prayeth that the Record may be sent for from the Clerk of the Crown; for saith he, we know in Law, that a man cannot make an Indenture to himself and the County, for there are required two persons.

To which Sir Edward Hobbie replied, that notwithstanding this, the House might well receive him. And he vouched a Precedent in the 31th of this Queen, when a Writ was directed to the Bayliffs of *Southwark* to return Burgeffes, and they returned themselves and were received. But if we do not receive him, another question will grow, Whether a new Warrant must go from the Speaker to Elect a new Knight, or from the Clerk of the Crown. To which it was agreed *per omnes*, that from the Speaker.

Then Mr. Wiseman of *Lincolns-Inn* stood up and

and shewed the necessity of having all our Members, because otherwise the Body is but maimed ; as also how dangerous a Precedent this would be if it might pass with the Applause of this House ; And lastly, the reason of putting in the aforesaid special words in the Writ, because it must be necessarily intended, that they being so great Officers, having so great a charge, and their presence in their Countries so requisite, should not be returned. Besides, for that time they be the chief men of the Shire, Freeholders peradventure for favour sake would rather chuse him than men far more sufficient for that place.

Mr. Carey moved, whether if it were with his will, he should be punished by Fine or otherwise.

Sir John Harrington said, of his own knowledge he knew him to be very unwilling : But the Freeholders made Answer they would have none other.

Mr. Speaker said, it could not be intended against his will, for his hand is to the Indenture ; but he moved whether it should be intended that this Sir Anthony Nowell were *una & eadem persona*, or no ; And though it were, yet whether they could take notice thereof, not being certified out of the Chancery. To which all the House said, there was no other of the name.

Then Mr. Comptroller stood up and moved, that in respect the Return was joint, and that they did disallow Sir Anthony Nowell, he desired to be resolved of the Learned Masters of the Law in this House, whether all the Return were insufficient, and so Sir John Harrington to be excluded. To which all the whole House said No.

Mr. Serjeant Harris said No, because the said Warrant is affirmative to chuse any but the Sheriff, who is excepted by special words ; so that the Return of the other is warranted, but that of himself is void.

Sir Edward Hobbie Answered and said, nay then Mr. Serjeant, if you stand on that, I think there are few Knights in this House lawfully chosen, for the words of the Writ and Statute are, that he must be Commorant within the County, which but few are. To which not one word was Answered. And that Clause was hushed up.

Mr. Speaker said, Well, I will put it to the question, which shall be twofold, one whether the Return be void, the other whether a new Warrant shall be sent forth. To which being twice moved, all cried I, I, I ; not one man said No.

Sir Edward Hobbie said, Mr. Speaker the Warrant must go from your self, for in the twenty seventh Year of this Queen, when Parrie was Burgess for *Queenborough* a new Election was made, and the Warrant was sent from the Speaker.

Nota, That this resolution of the House is directly contrary to a former Precedent agreed on in the House of Commons upon Friday the 21th day of February in the Parliament de An. xxxi^o Regin. Eliz. Anno Dom. 1588, 1589. where Mr.

St Poole being both Knight for the County of *Lincoln* and Sheriff of the same also, was notwithstanding allowed to retain his place in the said House as a Member thereof, and had only Licence given unto him to depart into the said County about the business of his said Sheriffwick, in no other form or manner than is vouchsafed of course to the Members of the said House upon any urgent occasions by them alledged, requiring their absence for some time, be it longer or shorter. Where other Precedents also to this purpose are vouched, and yet perhaps both the said Precedents may stand good and be reconciled, with this difference, that where any man is first Sheriff of some County and then Elected a Knight of the same, or a Citizen, Burgess or Baron of any City, Borough or Cinque-Port of the same, that in this Case his Election is void, because it must of necessity follow, as in this Case of Sir Andrew Nowell it did, that he must return himself, which cannot be good in Law. But where a man is first Elected a Member of the House of Commons, be it Knight, Citizen, Burgess or Baron, and is afterwards made Sheriff of some County, here his first Election standeth good, as it should seem also it doth, although he may be first made a Sheriff of some County, and be afterwards Elected a Knight, Citizen, Burgess or Baron of and in some other Shire or County. And the reason of all is plain, in respect, that in all these latter Cases his Return cannot be made by himself, but by the Sheriff of the County where he is Chosen. This only holds good in the Case of Knight of the Shire.

The Bill for Explanation of such Statutes as touch Leases to be made by Archbishops and Bishops, was read the second time and rejected, after Mr. Boise had spoken to it as followeth.

To which only Mr. Boise stood up and said, that this Act would be prejudicial to the Bishop present and the Successor, to their Servants and to the Bishops own Farmers and Tenants ; To the Bishop present, in the maintenance of his Estate which cometh only by continual Fines, which if they be taken away, then are they not able to maintain that Hospitality, and keep that retinue either belonging to their place or answerable to their living. For consider the Revenue of the greatest Bishoprick in *England*, it is but two thousand two hundred pounds, whereof he payeth for Annual Subsidies to the Queen five hundred pounds. And what damage we shall do both to him and his Successor herein, his Revenue being so beneficial to her Majesty, I refer to all your Judgments.

To the Successor it must needs be more hurtful ; For when he first cometh in, he payeth First-Fruits, and yet is not allowed to make his benefit by Fines, which all Bishops Farmers are content to do, so that he is cast one whole Annual value behind hand, and perhaps hath no power neither to make Leases in twelve or sixteen Years. This, Mr. Speaker, will induce the Ministers of the Word not to seek Bishopricks,

whereby we may bring the Clergy both to Poverty and Contempt, from which they have ever been carefully defended and provided for even by the most antient Statutes and Laws of this Land now extant.

Hurtful it is to their Servants (for this may be every Mans Case) We know very many good Gentlemens Sons serve Bishops, and how can they reward their long and faithful Services, but only by means of granting over of these Fines or some other means out of their Spiritual Function? But this Act is good for the Courtier; but I may speak no more of that point.

Lastly, Mr. Speaker, my self am Farmer to a Bishop, and I speak this as in my own Case (on my knowledge) to the House, that it is ordinary upon every Grant after four or five years, ever to fine and take a new Lease, but I refer it to the consideration of the House to do their Pleasures therein: Only this I can certify, That I have the Copy of the Bill the last Parliament exhibited to this purpose, which I having confer'd together with the present Bill, do find them to be word for word all one. And the last was rejected. Whereupon this was also (as is before-mentioned) rejected.

Thus far out of the afore-mentioned private Journal, the residue of this days Passages that follows are transcribed out of the Original Journal-Book of the House of Commons it self.

The Bill that Plaintiffs in Writs of Error shall give good Bayl, was read the second time, and committed unto Mr. *Carie*, Mr. *Tanfield* and others, who were appointed to meet upon *Monday* next in the *Middle-Temple* Hall at two of the Clock in the Afternoon.

The Bill against fraudulent Administration of Intestates Goods was upon the second reading committed unto the last former Committees in the Bill for Writs of Error, to meet at the same time and place.

The Bill against excessive and common Drunkenness was also read the second time and committed to the former Committees in the Bill for the Sabbath day, and to meet in the *Temple-Hall* this Afternoon.

The Bill touching the sowing of Hemp was read the second time, and upon the question for committing was upon the division of the House, with the advantage of fifty Voices Ordered to be committed, *viz.* with the Yea a hundred and three, and with the No a hundred forty two. And upon the question for the ingrossing, was Ordered not to be ingrossed.

The Committees names for the Bill of Subsidy, (whose names see on *Monday* the second day of this instant *November* foregoing) as also the Committees names for penal Laws, (who were appointed on *Tuesday* the third day of this same Month foregoing) were this day delivered to Mr. Comptroller.

The Bill touching the Sabbath, and the Bill against Drunkenness, were delivered to Mr. *Edward Mountague* one of the Committees.

On *Thursday* the 5th day of *November*, Two Bills of no great moment had each of them one reading, of which the first concerning matters of Assurances used amongst Merchants was read the first time.

Sir *Francis Hastings*, one of the Committees in the Bill for the better keeping of the Sabbath day (whose names see on Yesterday immediately foregoing) shewed the travel of the Committees, and brought in the Bill with some Amendments and a Proviso, and prayed the reading thereof, the Bill standing upon two parts, the latter part thereof not having been dealt in at all by the Committees.

The Amendments and Proviso in the Bill for the better keeping of the Sabbath day were twice read. And the Bill it self being read for the second reading was Ordered to be ingrossed.

Two Bills also had each of them one reading; of which the second being the Bill for the suppressing of deceits in Weights and Measures was read the first time.

Upon a Motion made this day a Committee was appointed to consider of the Statute for relief of the Poor, and for continuance and Explanation of Statutes, &c. *viz.* Sir *Robert Wroth*, Mr. *Philipps*, Sir *Edward Hobbie*, Sir *Francis Hastings*, Sir *George Moore* and others, who were appointed to meet upon *Thursday* next in the Exchequer Chamber at two of the Clock in the Afternoon.

The Bill for Reformation of Abuses in Ale-houses and Tipling Houses was read the second time, and committed unto Sir *Edward Stanhop*, Mr. *Wiseman*, Mr. *Johnson*, Sir *Robert Wroth*, Sir *Francis Darcy*, Mr. *Peake*, Mr. *Edward Philipps*, the Burgesses of *Newcastle* and others; and the Bill was delivered to Sir *Robert Wroth*, who with the rest was appointed to meet upon *Wednesday* next in the Exchequer Chamber at two of the Clock in the Afternoon.

Two Bills had each of them one reading; of which the second being the Bill against Blasphemous Swearing was read the first time.

Thus far out of the Original Journal-Book of the House of Commons it self; the residue of this days passages is transcribed out of the often above mentioned private Journal.

Mr. *Bacon* stood up to prefer a new Bill and said, Mr. Speaker, I am not of their mind that bring their Bills into this House obscurely, by delivery only to your self or to the Clerk, delighting to have the Bill to be *incerto authore*, as though they were either ashamed of their own work or afraid to father their own Children; But I, Mr. Speaker, have a Bill here, which I know I shall no sooner be ready to offer, but you will be ready to receive and approve. I liken this Bill to that sentence of the Poet who set this as a Paradox in the fore-front of his Book, *first Water, then Gold*, preferring necessity before pleasure. And I am of the same opinion, that things necessary in use are better than those things

things which are glorious in estimation. This, Mr Speaker, is no Bill of State nor of Novelty, like a stately Gallery for pleasure, but neither to dine in nor sleep in; But this Bill is a Bill of repose, of quiet, of profit, of true and just dealings; The Title whereof is, An Act for the better suppressing of abuses in Weights and Measures.

We have turned out divers Bills without disputation: And for a House of wisdom and gravity as this is, to bandy Bills like Balls, and to be silent as if no body were of Council with the Common-wealth, is unfitting in my understanding for the State thereof. I'll tell you Mr Speaker, out of mine own Experience, that I have learned and observed, having had Causes of this nature referred to my Report; That this fault of using false Weights and Measures is grown so intolerable and common, that if you would build Churches, you shall not need for Battlements and Bells, other than false Weights of Lead and Brass. And because I would observe the advice given in the beginning of this Parliament that we should make no new Laws; I have only made this Bill a confirmation of the Statute of the 11th of Hen. the 7th with a few additions, to which I will speak at the passing of the Bill, and shew the reasons of every particular Clause, the whole being a Revival of a former Statute: for I take it far better to scowre a Stream, than to turp a Stream. And the first Clause is, that it is to extend to the principality of *Wales*, to constrain them to have the like Measures and Weights to us in *England*.

Sir Robert Cecill moved the House to have their opinions, in that there wanted a chief Member, viz. a Knight of *Denbigh* Shire. And he said, I am to certify the House thus much, in respect of some disorder committed there touching the Election by Sir Richard Trevor and Sir John Fludd, to which Sir John Salisbury is a party, the Sheriff could not proceed in Election. For mine own part I think it fit that Mr Speaker should attend my Lord Keeper therein (*quod nota, attend*) if it please you, You shall hear the Letter which was read, and the Contents thereof was, That on the one and twentieth day of *October* at he hept the County day, and there being quietly chusing the Knights for the Shire, a Cry came suddainly that Sir Richard Trevor and Sir John Fludd on the one part, and Sir John Salisbury on the other, were a fighting, and all their Companies were ready to do the like. Whereupon presently I went to the Church-Yard where they were, and there I found both parties with their Swords drawn ready, but with much a do pacified them both; and fearing lest by drawing such a Multitude together, there might great danger and blood-shed happen, I made Proclamation that every man should depart. By means whereof I did not execute her Majesties Writ as I thought to have done, rather chusing to adventure your Honours censures here-

in, than to hazard so great a blood-shed. Subscribed,

Your Honours most

humbly at Commandment,

Owen Vaughan.

Also Mr. Secretary said there was a Schedule annex to the Letter which had some matters of importance not fit to be read; Yet if it please the House to command it, they should: Whereupon all cried No No.

Sir Edward Hobbie answered, Methinks under favour, the motion Mr. Secretary made is good, but the form therein (I speak with all reverence) not fitting the State of this House. For he said, Mr Speaker shall attend my Lord Keeper. *Attend?* It is well known that the Speaker of the House is the Mouth of the whole Realm; And that the whole State of the Commonalty of a Kingdom should attend one Person; I see no reason. I refer it to the consideration of the House: Only this proposition I hold, That our Speaker is to be commanded by none, neither to attend any, but the Queen only.

Mr Johnson said, The Speaker might *ex Officio* send a Warrant to the Clerk of the Crown who is to certify the Lord Keeper, and so to make a new Warrant.

Sir Edward Hobbie said, That for Election of Burgeßes he had seen half a score yesterday with Sir John Puckerings hand, when he was Speaker.

Mr Speaker said, I may inform you of the Order of the House, that a Warrant must go from the Speaker to the Clerk of the Crown, who is to inform the Lord Keeper, and then to make a new Writ.

Mr Secretary Cecill said, I should be very forry to detract from any particular Member of this House, much more from the general State; my meaning was mistaken and my words misconstrued, yet both in substance agreeing with Mr Speaker.

Post Meridiem.

At the Committee held this Afternoon touching Returns and matters of priviledge (who had been appointed on *Saturday* the 31. day of *October* foregoing) there were shewed divers Precedents to prove that the Warrant to be directed to the Clerk of the Crown for a Writ to be sent out for a new Election of any Member of the House, ought to be directed from the Speaker, which said Precedents were as followeth, viz.

In Anno 27. *Reginæ Eliz. Anno Domini* 1584. 4th *Decembris*, Valentine Dale Master of the Requests was returned Burgeß for *Chichester* and also for *Hindon*, but he chose *Chichester*; And John Puckering Speaker directed his Warrant to the Clerk of the Crown to send a Writ to make a new Election in *Hindon*, which bare date the 10th of *December*, six days after 27 *Eliz.*

Secondly, In *Anno* 27^o *Regin. Eliz. Anno Domini* 1584. 21^o *Decembr.* the Writ bearing *Teste* 19 *February* for the same matter, In which the stile of the House is, Knights, Citizens, Burgeses and Barons, *quod nota.*

Thirdly, *Anno prædicto Regin. ejusdem Anno Domini* 1584. 19 *Febr.* when Parry being Burges of *Queenborough* in *Kent* was Attainted of Treason, A Warrant was directed to the Clerk of the Crown to make a new Writ dated the 19th day of *February* aforesaid, in which Warrant under the Speakers own hand was inserted a reason to this effect, *viz.* because the said Parry is disabled by reason of his Attainder.

Fourthly, In *An^o xxvii^o prædict. Regin. Eliz. Anno Dom.* 1584. 30 *Novembr.* Thomas Bodley was Elected Burges of *Portsmouth* and also Baron for one of the Cinque-Ports, *viz.* *Hieth*, but he took *Portsmouth* and refused the other; whereupon a Warrant was directed as aforesaid, but no *Teste* of the Writ was there.

Fifthly, 28th *January* 1584. Alexander Pine Esq; chosen Burges for *Taunton* being Deceased, a new Writ was made. The Writ bare *Teste* 30th *January.*

Sixthly, 3^o *Decembr. Anno Domini* 1584. John Puckering being Speaker was chosen for *Bedford* and *Caermarthen*, and chose *Bedford*, whereupon a Warrant was made to the Clerk of the Crown for a new Writ, which bare date the 4th day of *December Anno xxvii^o Regin. Eliz.* All which Warrants were signed by the Speaker John Puckering.

For the matter between Doctor Ambrey Doctor of the Civil Law, and Mr. William Delabarr Barrester of the Common Law of *Lincolns Inn* touching the Burgesship of *Cardigan* in *Wales*, the Cause stood thus.

Cardigan hath been by antient Precedents ever since the first Year of Queen *Elizabeth* a Burges Town, and ever the Return of the Indenture hath been for *Cardigan* only. Now this Parliament, the Sheriff of the Shire favouring a Town called *Aberystwith*, after he received the Parliament Writ, sent his Warrants to the Bayliffs of *Aberystwith* to chuse a Burges, &c. who chose a Burges, *viz.* Doctor Ambrey, and return'd him Burges for *Cardigan* and *Aberystwith*, and shewed in the Indenture the Election to be made by both Towns; And the Indenture was signed with the Sheriffs hand. On the other side the Bayliffs of *Cardigan* understanding the Writ to be come to the Sheriff, took notice thereof, and without Warrant from the Sheriff made an Indenture and Election of William Delabarr, and sent the same in a Letter to him. Mr. Delabarr sought the Sheriff or his Deputy in *London* to deliver the Indenture of *Cardigan*, but not finding him, delivered the same to the Clerk of the Crown, paid his Fees, was sworn and admitted into the House till this present day. Now at this Committee for Priviledges Dr. Ambrey came to complain; the Committees found upon Examination of the matter, that the County Court was as well kept at

Aberystwith as at *Cardigan*, *alternis vicibus*, and that the County Court was to be kept this time at *Aberystwith*. So when they went to the Conference both Ambrey and Delabarr were desired to depart forth. And upon Consultation these Questions arose; First, Whether the House have Power to Fine the Sheriff, because according to the Statute, he sent not his Warrant to *Cardigan*; Next, If he be punishable by the Penalty of the Statute; Also if he have pursued his Authority in making his Election in *Aberystwith*. Which are left with divers other doubts to the discussing of the House the next day, and to the Report of Sir Edward Hobbie or Mr. Solicitor.

Also in the twenty third of *Elizabeth* a Warrant to the Town of *Hull* from the Speaker Popham (now Lord Chief Justice, being then Speaker.)

Sir Edward Hobbie at this Committee said, Ambrey and Delabarr, the one a Civil, the other a Common Lawyer; That he might say to them as the Duke of Millain said of the Thief, It is no matter, whether goes first, the Hangman or the Thief.

The Town of *Harwich* in *Essex* and *Newtown* in the County of *Southampton* have returned Burgeses this Parliament, which they never did before.

Thus far out of the aforesaid private Journal. The ensuing days Passages do follow out of the Original Book it self.

On *Friday* the 6th day of *November*, Three Bills of no great moment had each of them one reading; of which the last being the Bill to avoid divers misdemeanors in base and idle Persons, was read the first time.

Mr. Dr. James being a Committee in the Bill against Drunkenness, which was committed on *Wednesday* the 4th day of this instant *November* foregoing, declared the meeting and travel of the Committees and their framing of a new Bill to that purpose, and so delivered in both the old and the new Bill.

Three Bills also had each of them one reading; of which the last being the Bill for the better keeping of the Sabbath day was read the third time and Ordered to be referr'd to the former Committees (whose names see on *Wednesday* the 4th day of this instant *November* foregoing) for the framing of a new Bill; And Sir Robert Wroth, Mr. Solicitor, Mr. Wingfield, Mr. Glascock, Mr. Henshaw, Mr. Johnson and Sir William Wray were added to the said former Committees, to meet this day in the Afternoon at two of the Clock in the Exchequer Chamber.

Two Bills lastly of no great moment had each of them one reading; of which the first being the Bill against false Returns, and not returning Writs by Warrant by Sheriffs and Bayliffs, was read the third time and dashed upon the question.

On *Saturday* the 7th day of *November*, the Bill that the Lord Marquess of Winchester may dispose of his Lands whereof he is Tenant in Tail as other Tenants in Tail by the Laws and Statutes

of the Realm may do, a private Statute made 27 Henr. 8. to the contrary notwithstanding, and for Confirmation of a Partition heretofore had before the late Lord Marques of *Winchester* Deceased, and the now Lord *Mountjoy*, by Vertue of a Statute made in the last Parliament, was read the first time.

The Bill for the better setting of Watches was read the second time and committed unto Sir *George Moore*. Sir *Robert Wroth*, the Knights and Citizens for *London* and *Westminster*, Mr *Wise-man* and others, who were appointed to meet upon *Thursday* next at two of the Clock in the Afternoon in the *Middle-Temple Hall*.

The Committees for Returns and Priviledges (whose names see on *Saturday* the 31th of *October* foregoing) were appointed to meet upon *Wednesday* next.

The Bill to avoid divers misdemeanors in base and idle persons was upon the second reading committed unto the last former Committee in the Bill for setting of Watches, and Mr *Johnson* was added unto them; And the Bill was delivered unto Sir *Robert Wroth* one of the same Committee, and Mr Serjeant *Harris* to be exempted out of the Committee, because he spake against the body of the Bill, according to the antient Order in Parliament.

The Bill against Drunkards and Common Haunters of Alehouses and Taverns was read the second time and committed to the former Committees for the Sabbath (whose names see before on *Wednesday* the 4th day of this instant *November* foregoing) and to the Committees for Drunkennells (who were appointed on the said 4th day of *November*) And there were added unto them Mr *Francis Darcy* and Mr *Francis Moore*, who were appointed to meet upon *Friday* next at two of the Clock in the Afternoon at the *Middle-Temple Hall*.

The Bill for suppressing of deceits used in Weights and Measures was read the second time, and upon the question for ingrossing, dashed.

Upon a Motion made by Sir *Edward Hobbie* a Member of this House, that where one *Woodall*, Servant and Attendant upon *William Coke Esq;* return'd into this present Parliament one of the Burgesses for *Westminster*, was Yesterday Arrested at the Suit of one *Robinson* Citizen of *London*, upon a Bill of *Middlesex*, and committed into *Newgate*, *London*, to the great indignity and contempt of the Priviledges and Liberties of this House, That the Serjeant of this House should be presently sent into *Newgate* to bring the said *Woodall* now Prisoner there unto this House this present Forenoon, sitting the Court. And after some short space of time he was accordingly brought into this House from *Newgate*; and being at the Bar with his Keeper attending upon him, he was by Order of this House discharged from his said Keeper and from his said Imprisonment, and delivered unto his said Master, to bring him again upon *Monday* next unto this House; with further Order unto

the Serjeant, to bring or cause the said *Robinson* to come into this House upon *Monday* next to Answer the said contempt, and to abide the further Order and resolution of this House therein accordingly.

Upon a Motion made by Sir *Francis Hastings* a Member of this House, complaining of some abuse offered unto him and sundry other the Members of this House Yesterday, by the lewd misdemeanors of Pages and other unruly persons upon the outer stairs in the passage into this House, shewed, that he then seeing the said disorders, thought it fit to lay hold of one of that disordered Company, such a one as he could, and so apprehended one *Rowland Kendall* as an Agent in these misdemeanors, who being brought unto Mr Speaker, was committed Prisoner to the Serjeant of this House: And in the end moved, that he may be remitted upon his humble Submission unto this House, and with that punishment which he hath already sustained since Yesterday by Imprisonment (if this House shall so think meet) the rather because he cannot directly charge him in the particular, but that he was amongst the said disordered Company. Whereupon the said *Kendall* was brought to the Bar by the Serjeant, and was after his humble Submission, sequestred until the House should further resolve therein. And then afterwards being brought again to the Bar, upon his humble Submission as aforesaid, was discharged, after Admonition given unto him (for his behaviour hereafter) by Mr Speaker at large.

Thus far out of the Original Journal-Book of the House of Commons touching this Forenoons Passages; Those of the Afternoon are transcribed out of the often mentioned private Journal.

Post Meridiem.

In the Afternoon the same day at the Committee in the House touching the Subsidy,

Sir *Walter Raleigh* moved the House to consider to what intent they came together, and now in their coming what was to be considered. For the Subsidy and the manner and quality thereof I will now only intimate thus much unto you, That the last Parliament, only three Subsidies were granted, upon fear that the *Spaniards* were coming; but we see now they are come, and have set foot even in the Queens Territories already, and therefore are the more of us to be respected and regarded. And seeing the sale of her Highness's own Jewels, the great Loans the Subjects have lent her, yet unpaid, the continual selling of her Lands and decaying of her Revenues, the sparing ever out of her own purse and apparel for our sakes will not serve, but yet she must be fain to call her Court of Parliament for our advice and aid in this Case, I wish for my own part (as a particular Member of this Commonwealth) that we may not do less than we did before; And that we also would bountifully according to our Estates, contribute to the necessity

cessity of her Majesty, as now it standeth.

Mr *Wiseman* after a discreet and judicious Speech made touching Gods protecting us for Religion sake or peace and quietness, the safety of her Majesties person, the great victories we have had, the greatness of Neighbouring Princes raised only by her Majesty, so that she hath spent, as it was said by Sir *Walter Raleigh*, so much, that now she is fain to desire the help of her subjects; Let us therefore draw to some head and leave our Orations and Speeches fitter for a Parliament than for a Committee. We are to consider only what is fit to be given; And as for my part as a poor Member and one of the meanest in this House, I will be bold to deliver mine opinion first, because some must break the Ice. Three pound Land and under to pay two shillings eight pence in the pound, and five pound goods and under to pay one shilling eight pence in the pound, and double Tenths and Fifteenths as soon as may be. Although I may seem over bold, being but a Rural and Countryman, to speak even out of my Element in this Case; Yet I do heartily crave pardon of all, beseeching that neither my unaptness or disorder of Speech, nor the unworthiness of my Person may prejudice the Cause.

Sir *Robert Wroth*, that four pound Land full Subsidy, and six pound goods full Subsidy might be paid to her Majesty.

Sir *Francis Hastings* moved, that three pound men might be exempted, and all others above that rate to pay according to the rate to make up a full Subsidy.

Mr *Philipp*s moved, that the four pound men might be exempted, and four Subsidies received from the Rich, which should be termed a Contribution, because it might make no innovation.

Sir *Walter Raleigh* said, If all pay alike, none will be aggrieved; if any be exempted, doubtless it will breed much grief, and the feeling will be great to those three pound men that will feel any thing, but it will be nothing to them that know any thing.

Sir *Edward Hobbie* said, We cannot hear you speak out, you should speak standing that so the House might the better hear you. So Sir *Walter Raleigh* said that being a Committee, he might speak either sitting or standing, and so repeated over again the former Speech.

Mr Secretary *Cecill* said, Because it is an Argument of more Reverence, I chose to speak standing. As long as the Queen by the advice of her Council did find means to spare you, so long she ever desired that her Subjects might not be charged: But if her Majesty as soon as the last Subsidy had been spent, should have again resorted unto you, I do assure you this Parliament had been called in *October* last. Now if upon providence and foresight, you did contribute unto her Majesty; much more should we now do the same, seeing a resolute Company of Souldiers have intrinched themselves in her Majesties Kingdom of *Ireland*, and more Supplies

thither are daily expected. It is time to open our Coffers, that we may obviate in the beginning these few Forces of the *Spaniards*, lest growing to greater Forces we cannot expel them with less than five hundred thousand pound, which we may now do with one hundred thousand in present. If there be any that sits next the Door that desires to sit next the Chair to give his opinion, I will not only give him my place, but thank him to take my charge.

This was conceived to be Sir *Edward Hobbie*, who coming to sit near the Chair and not giving him place, sat next the Door.

We that sit here, for my part, take your favours out of courtesy, not out of duty; but to the purpose. The Queen hath occasion to use, as divers in this House do know, three hundred thousand pound before *Easter*, how this shall be raised and gathered, that's the question; for without this proportion of charge, neither the *Spaniards* in *Ireland* can be repell'd, and the Wars there maintained, neither her Majesties other affairs be set on foot, neither provision sufficient can be set on foot or made from defence of Foreign Invasions. Admit with a less charge we should now expel him, will any man be so simple to think he will give over the enterprise being of so great consequence, and grow desperate? I should think him but a man of shallow understanding and less policy. Surely if we had been of that mind when he had that great overthrow of his invincible Navy in eighty eight, we had been destinated to perdition. For how many changeable enterprises of puissant and great consequence hath he since made? The like, if his Forces in *Ireland* should now fail, would he do again. And therefore that provision we now make, if he should be expell'd with a less matter, would serve to make defence against his next Invasion of that Kingdom, as also enrich her Majesty to be ready to furnish her Navy and Forces the speedier for her safety. Besides, if he bestow such Masses of Treasure for the gaining of one poor Town, *Ostend*, what will he do to gain so strong and famous a Kingdom as *Ireland*? I will by the leave of a worthy person who sits by me, and knows these things better than I do, yield a particular account unto you of the state it self. First, the last whole Subsidy after the rate of four pound Lands and eight groats Goods, came not to above fourscore thousand pounds; the Subsidy of the Clergy twenty thousand pound, the double Fifteenths threescore thousand pounds; All which is eightscore thousand pounds. Since my Lord of *Effex*'s going into *Ireland*, she hath spent three hundred thousand pound. So the Queen is behind one hundred and forty thousand pound. Thus we refer the matter to your judicious consideration: We only shew you the present state of the Queen and her affairs, wishing no man to look that we should give advice what is to be done, as though you your selves who are the wisdom of the Land, could neither direct your selves, nor upon these

these reasons alledged judge of the necessity of the State.

M^r Comptroller, Sir *John Fortescue* and Secretary *Herbert* spake all to the like effect; only Sir *John Fortescue* added this, that what pleased the House in the name of the Subsidy to bestow the same, Her Majesty did and would ever imploy to their uses; so that dying, it might be written on her Tomb, *Quod occupatus vixit*, so that she dying liveth still imploying all to the safety of her Subjects. And I beseech you remember, that the Great Turk when he Conquered *Constantinople* found therein three hundred Millions of Gold; If they, quoth he, had bestowed three Millions in defence of their City, he could never have gotten it. From this Blindness I pray God defend us, that we may not be backward to give four Subsidies to her Majesty, for want whereof in time we may happen to lose that which will not be recovered or defended with a hundred.

So after a few other Conferences and Speeches *pro & con*, it was concluded, that the House should be certified of the proceeding on *Monday*, and by general consent the three pound men to be included. And so the House about six of the Clock, it being dark Night, rose confusedly, and would sit no longer. *Vide* concerning this matter on *Saturday* the 5th of *December* *postea*.

Note, That M^r *Maynard* by consent of the whole House sate in the Chair as Clerk to register the Order of this Committee, who wrote at the least two Sheets of Paper. By consent also he was licensed to put on his Hat.

Thus far out of the aforesaid private Journal; we now return to the Original Journal-Book it self.

On *Monday* the 9th day of *November*, the Bill for the strengthening of the Grants made for the maintenance and Government of the House of the Poor called *S^t Bartholomews* Hospital of the Foundation of King *Henry* the Eighth, according to a Covenant made by the said King, was read the first time.

Two Bills also had each of them their first reading; of which the second was the Bill for the benefit of Merchants and advancement of her Majesties Customs and Subsidies both Inward and Outward.

The Bill for Reformation of certain Abuses concerning Process and Pleadings in the Court of Exchequer upon supposals without just grounds in the Office of the Treasurers Remembrancer, was read the second time and committed unto all the Privy-Council being Members of this House, The Queens Learned Council Members also of this House, Sir *Robert Wroth*, Sir *Edward Hobbie*, M^r *Philipps* and others, who were appointed to meet to Morrow in the Afternoon in the Exchequer Chamber at two of the Clock; and the Bill and Committees names was delivered unto M^r Chancellor of the Exchequer one of the Committees.

The Committees for continuance of Statutes, (who were appointed on *Thursday* the 5th day

of this instant *November* foregoing) were deferred until *Thursday* next in the Afternoon.

Thus far of this days Passages out of the Original Journal-Book of the House of Commons; what follows is out of the private Journal.

Heyward Townsend Esq; did this day prefer a Bill against the multitude of Common Solicitors, and at the same time spake as followeth. May it please you, M^r Speaker, It was well said by a Worthy Member of this House M^r *Francis Bacon*, that every man is bound to help the Common-Wealth the best he may; much more is every man in his particular bound, being a Member of this House, if he knew any dangerous Enormity towards the Common-Wealth, not only to open it, but if it may be, oppose it. We being all here within these Walls together may be likened to a Jury close shut up in a Chamber; every man there upon his Oath, and every man here upon his Conscience, being the Grand Jurymen of the Land, bound to deal both truly and plainly. Herewith (though a most unworthy and least sufficient Member of this House) my self being touched, I had rather adventure my Credit by speaking though confusedly, than to stretch my Conscience (knowing so great a mischief and inconvenience unto this Kingdom) by silence in so pleasing a Cause as I do perswade my self this Bill will be to every man that hears it. To which M^r Speaker, because I may have benefit of Speech if occasion serve, at the second reading thereof, I will not speak more at this present, but only touching the very Tract of the Bill it self. The Honourable Personage, that in the Upper House in the beginning of this Parliament, spake against the lewd abuses of prolling Solicitors and their great multitude, who set dissension betwixt man and man, like a Snake cut in pieces crawl together to join themselves again to stir up evil Spirits of Dissension; He I say advised us, That a Law might be made to repress them; I have observed that no man in this Parliament ever offered to prefer any such Bill to this House, but sure I am no man spake to this purpose. I have therefore M^r Speaker, presumed out of my young Experience, because I know part of their abuses, and with that small Portion of Learning that I have, to draw a Bill, and here it is. The title is thus: An Act to repress the multitude of Common Solicitors. The body of the Act disableth all persons to solicit any Cause other than their own. There are excepted and fore-prized four several sorts, Lawyers and Attornies in their own Courts; where they be sworn Servants in Livery, and Kinsmen within the fourth degree of Consanguinity. And no man within this Kingdom but may find a fitting and convenient Solicitor within these four Degrees. And I humbly pray, it being so short, that the Bill may be read and received.

M^r Secretary *Cecill* spake touching the Subsidy as followeth, *viz.*

When it was the good pleasure of this House to give Order to the Committees to consider the common

common danger of the Realm, in which not only every Member of this House but every man in the Kingdom is interested, it liked the Committees after their resolution to chuse one among all to give account of their proceedings, and that is my self. I do know it were the safest way for a mans memory to deliver the last resolution without any precedent Argument; for rare is the Assembly in which there is not some variety of opinions. I need not recite the form, the Committee by reason of so good attendance being little inferiour to our Assembly at this present. Yet if it be true that *forma doth dare Essentiam*, it will be somewhat necessary for me to deliver the manner of our proceedings and the circumstances, rather than hazard the interpretation of such a resolution.

The day was *Saturday* last, the place this House, the time about four hours; and I am of opinion, if we had all agreed upon the manner, as we did speedily upon the matter, all had been dispatcht in an hour. It seemed by the ready consent of the Committees that they came not to look on one another, or like Sheep one to accompany another; but the matter was well declared by some, and at length consented unto by all. Our contention bred difference, and difference cause of Argument, both how to ease the State, and make this Subsidy less burthensom which shall be received. Some were of opinion that the three pound men should be spared, because it was to be considered they had but small Portions. Others were of opinion that the four pound men should give double, and the rest upwards should be higher Sessd. Others were of other Opinions. Again it was moved, whether this Subsidy should go in the name of a Benevolence or Contribution, or whether in the name of a fourth Subsidy; but at length most Voices resolved it should have the old name of a Subsidy, because *Subsidium* and *Auxilium* are all one. The most Voices concluded that there should be no exception of the three pound men, because according to their rate some were Sessd under value; besides, separation might breed emulation, suspicion of partiality and confusion. The time was resolved upon. And in respect of expedition, to be by the first of *February*. And the whole Realm when each man comes into his Country will be better satisfied when they shall know they have spared no man, nor made any disjunction. It was said by a Member of the House, that he knew some poor people pawn'd their Pots and Pans to pay the Subsidy. It may be you dwell where you see and hear; I dwell where I hear and believe. And this I know that neither Pot nor Pan, nor Dish nor Spoon, should be spared when danger is at our Elbows. But he that spake this, in my Conscience spake it not to hinder the Subsidy, or the greatness of the Gift, but to shew the Poverty of some Sessd, and by sparing them to yield them relief. But by no means I would have the three pound men exempted, because I do wish the King of Spain

might know how willing we are to sell all in defence of Gods Religion, our Prince and Country.

I have read when *Hannibal* resolved to sack *Rome*, he dwelt in the Cities adjoining, and never feared or doubted of his Enterprize, till word was brought him that the Maidens, Ladies and Women of *Rome* sold their Ear-Rings, Jewels and all their necessities to maintain War against him. I do take my self in duty bound to acquaint this House with the modesty of the Committee at the Proposition; that where first this House never stuck to commit it, they never stuck (understanding the reasons) to grant it. I do perswade my self, that the *bonus genius* of this House did not wish a more resolved unity, than we had unity in resolution. And of this great Committee it may be said, *de majoribus Principes consultant, de minoribus omnes*. Thus by your Commandments have I undergone this Charge, and will be ready to do the like duty whensoever you command me.

Then after Consultation had of the great occasions, it was put to the Question, whether the double Tenths and Fifteenths should be paid by the first day of *February*, viz. for this fourth Subsidy before the third begin; and that the first payment of the first three Subsidies should be brought in by the 10th of *June*, viz. half a Subsidy; And all said Yea, and not one No.

Then was a Motion made by Sir *Robert Wroth*, that this new Subsidy might be drawn in a Bill by it self, to which should be annex a Preamble of the great necessities, the willingness of the Subject, and that it might be no Precedent; but that would not be yielded unto.

Then Mr Speaker asked the House if they would appoint Committees, so they appointed the Queens Council and all the Serjeants of the House and no more.

Mr *Francis Moore* moved that, that which was done might be compleatly done, and the Subsidy gathered by Commission and not by the old Roll; for peradventure some were dead, others fallen to Poverty, others Richer, and so deserved to be inhanfed, &c. And withal he said, that the granting of this Subsidy seemed to be the *Alpha* and *Omega* of this Parliament.

Mr *Wingfield* moved the Honourable of the Council, Members of this House, That seeing the Subsidy was granted, and they yet had done nothing, it would please her Majesty not to dissolve the Parliament till some Acts were passed.

Serjeant *Harris* said, The Motion of the Gentleman that last spake, is not now to be discussed; we are to speak touching the Subsidy.

Mr *Francis Bacon* after a Repetition of some of what was done Yesterday, that the three pound men might not be excluded, he concluded, that it was *Dulcis traçius pari jugo*, therefore the Poor as well as the Rich not to be exempted.

Sir *Walter Raleigh* said, I like not that the Spaniards

Spaniards our Enemies should know of our selling our Pots and Pans to pay Subsidies; well may you call it Policy, as an Honourable Person alledged; but I am sure it argues Poverty in the State. And for the Motion that was last made of *Dulcis tractus pari Jugo*, Call you this *par jugum*, when a poor man pays as much as a rich, and peradventure his Estate is no better than he is set at, or but little better; when our Estates that be thirty pound or forty pound in the Queens Books, are not the hundred part of our Wealth? Therefore it is not *Dulcis* nor *pari*.

Mr Secretary *Cecill*, That now seeing one of the weightiest matters and causes of Calling this Parliament was agreed upon, he doubted not but we should have both a quick Parliament and speedy payment. But for that the Gentleman said on my right hand, that the Subsidy was the *Alpha* and *Omega* of this Parliament, I think he spoke it not simply out of humour, but rather upon probability; for I can assure you her Majesty is as respective over you touching her Laws, which she desireth may be perused and amended, that she meaneth not to Dissolve this Parliament till some things be amended. For that, that I said touching the Spaniards knowing of our sale of our Pots and Pans and all we have to keep him out, which should be a matter of Policy, to which the Gentleman on my left hand (Sir *Walter Raleigh*) took Exceptions, I say it is true, and yet I am mistaken: I say it is good the Spaniards should know how willing we are to sell our Pots and Pans and all we have to keep him out; Yet I do not say, it is good he should know we do sell them: that is, I would have him know our willingness to sell (though there be no need) but not of our Poverty in selling, or of any necessity we have to sell them, which I think none will do, neither shall need to do. Then all the House cryed No, No, as much as to say, no man did so.

Sir *Arthur Gorge* moved, that it would please the Council that Order might be taken that Justices of the Peace might be Sessed according to the Statute, *viz.* at twenty pound Lands, whereas there be few Justices that be above eight or ten pound by Mr Secretary noted in his Table Book.

Then Serjeant *Heyle* stood up and made a Motion, saying: Mr Speaker, I marvel much that the House will stand upon granting of a Subsidy, or the time of payment, when all we have is her Majesties; and she may lawfully at her Pleasure take it from us; Yea she hath as much right to all our Lands and Goods as to any Revenue of her Crown. At which all the House hemm'd, and laughed and talked. Well quoth Serjeant *Heyle*, all your Hemming shall not put me out of Countenance. So Mr Speaker stood up and said, It is a great disorder that this should be used; for it is the antient use of every man to be silent when any one speaketh; and he that is speaking should be suffered to deliver his Mind without interruption. So the said Serjeant proceeded,

and when he had spoken a little while, the House hemm'd again, and so he sate down. In his latter Speech he said, he could prove his former Position by Precedent in the times of *Henry* the Third, King *John*, King *Stephen*, &c. which was the occasion of their Hemming.

Mr *Mountague* of the *Middle-Temple* said, that there were no such Precedents; and if all Preambles of Subsidies were looked upon, he should find it were of Free Gift. And although her Majesty requireth this at our hands, yet it is in us to give, not in her to exact of Duty. And for the Precedents there be none such, but touching a tenth Fleece of Wooll, and a tenth Sheaf of Corn that was granted to *Edward* the Third at his going to the Conquest of *France*, because all the Money then in the Land to be levied by way of Subsidy, would not be any way answerable to raise that great Mass he desired. And so having these Tenths he sold them to private men to gain that Subsidy, and so raised Money to himself for his Enterprize.

Thus far out of the said private Journal; the residue of this dayes Passages that follow, and those also of the day ensuing are transcribed out of the Original Journal-Book it self of the same House.

The Queens Learned Councel and all the Serjeants at Law being Members of the House (after the foregoing long dispute touching the Subsidy and the conclusion thereof) are appointed by the House to draw into the form of a Bill the Articles agreed upon by the Committees for the Subsidy; and also the days of payment agreed upon by the said House this present day; and Ordered to meet at their Pleasures as often as they shall think fit from day to day and from time to time. *Vide plus de ista materia* December 5. *Saturday postea*.

On *Tuesday* the 10th day of *November*, Five Bills had each of them one reading; of which the last being the Bill against blasphemous Swearing was read the second time and committed unto Sir *Francis Hastings*, Sir *Robert Wroth*, Sir *George Moor*, Sir *Thomas Leighton* and others, who were appointed to meet upon *Saturday* next in the *Middle-Temple* Hall at two of the Clock in the Afternoon.

The Bill for uniting and consolidation of certain small Churches in the City of *Exeter* was read the second time and committed unto Sir *Walter Raleigh*, Sir *Francis Darcie*, Mr *Sollicitor*, Mr *Serjeant Heyle*, Mr *Secretary Harris*, all the Doctors of the Civil Law and others, who were appointed to meet upon *Monday* next at two of the Clock in the Afternoon in the *Middle-Temple* Hall.

Robinson Citizen of *London* was brought to the Bar by the Serjeant and charged by Mr Speaker in the name of this House with his offence in procuring to be Arrested one *Wooddall* Servant Attendant upon *William Cooke* Esq; a Member of this House, to the great contempt, indignity and prejudice of this whole House. And

the Members thereof: being asked what he could say for himself for his defence, answered, that he was heartily sorry for that he had given any cause of offence unto this House, most humbly praying Pardon for the same; And most confidently protested and affirmed, that he knew not, nor ever heard before the said Arrest made, that the said *Waddall* was Servant or belonging to any Member of this House, but had delivered the Warrant by which he was Arrested, unto the Officer long before the Parliament began. Whereupon after some Speeches had therein he was by the Order of this House discharged, paying his Fees to the Serjeant and Clerk.

Two Bills also had each of them one reading; of which the second being the Bill for the benefit of Merchants and advancement of her Majesties Customs and Subsidies both Inwards and Outwards, was upon the second reading committed unto all the Privy-Council and Learned Council being Members of this House, the Knights and Citizens of *London*, Sir *Walter Raleigh* and others; And the Bill was delivered to Mr Secretary *Herbert*, who with the rest was appointed to meet upon *Thursday* next in the Exchequer Chamber at two of the Clock in the Afternoon, and all her Majesties Customers and Officers appertaining to the Custom-House, and other Merchants to have warning to be then and there present to attend the Committees.

On *Wednesday* the 9th day of *November*, Mr *Snigg* made Report of the meeting of the Committees and of their travel in two Bills, *viz.* That the Plaintiff in Writs of Error shall give good Bail, brought in with some Amendments and Alterations; and the other against fraudulent Administration of Intestates goods, without any Amendments. And so delivereth them in and prayeth the reading.

The Amendments in the Bill that the Plaintiffs in Writs of Error shall give good Bail were twice read. And also the Bill against Intestates Goods were Ordered to be ingrossed.

Three Bills had each of them one reading; of which the last being the Bill for the Inhabitants of *Rachdale* in the County of *Lancaster*, was read the second time and committed unto Mr *Francis Moore*, Mr *Holcroft*, the Knights for *Lancaster*, Mr *Hancock*, Mr *Beefston* and others, who were appointed to meet upon *Wednesday* next in the *Middle Temple Hall* at two of the Clock in the Afternoon.

Three Bills had each of them one reading; of which the last being the Bill for abbreviation of *Michaelmas* Term was read the second time; and upon the question whether it should be committed or no, the Knights and Citizens of *London* were against it. And therefore upon the nominating of the Committees it was doubted and questioned whether they could be admitted into the said Committee or no. Which dispute because it is omitted in the Original Journal-Book of the House of Commons, is therefore supplied out of that often before-cited private Journal of the same House.

Sir *Edward Hobbie* spake first and said, that it was against the Order of the House to admit the Knights and Citizens of *London* to be of the Committee, because they had given their Voice already against the body of the Bill.

Mr Secretary *Cecil* said, I am willing to speak in two respects; the one touching the Bill it self, the other touching the Controversie in the House about the Commitment. Touching the Bill, I dare not upon my own Judgment be so venturous or bold to reject this Bill, unless first it might have a Commitment. For the wisdom of that time when it was first instituted was so apt to look into imperfections, that doubtless if an inconvenience had been but espied, they would streight have avoided it. Therefore in my opinion it is not fit for us to look into the Actions of former Ages, but upon mature and advised deliberation. I do therefore greatly commend the Wisdom of this House in Committing this Bill and others of the like nature, before we reject them. For the other part, though it be a Rule in the House that those against the Bill should be no Committees, yet in a case of so great consequence and so greatly touching the State of the City of *London*, there is no reason but that they may have their particular Voices as Committees as well as every Member of this House; neither have we reason to exclude them more than any other, especially they being chosen for the most principal City of this Kingdom, which is the Chamber of her Majesty, whom we should the rather respect for her Majesties sake, who doth and will remember their Loyalty and Faithfulness shewed unto her in the late dangerous Action (*viz.* the Earl of *Essex's* rising) for which if ever Prince had Cause of thankfulness unto her Subjects, doubtless her Majesty is to confess as much. In my opinion therefore we should do great wrong and purchase great blame at their hands that sent them hither in Trust, if in a matter of this consequence, and so particularly touching the State of this City, we should not admit them Committees.

Mr *Wiseman* said, that by committing of a Bill the House allowed of the body thereof though they disallowed of some imperfections in the same, and therefore committed it to some chosen men of Trust to reform or amend any thing therein which they found imperfect. And it is to be presumed that he that will give his No to the Committing of a Bill, will be wholly against the Bill. And therefore the House allowing of this Bill to be committed, are (in my opinion) to disallow any that will be against the body of the Bill for being Committees.

Mr Comptroller said, he was of opinion, for the reason before alledged, that they ought to be Committees, but he moved another question, Whether a Committee speaking against the Bill at the Commitment, may also speak at the ingrossing thereof in the House, and have his free Voice.

Sir *Edward Hobbie* said, that may be resolved upon

upon by many Precedents. And for mine own opinion, I think that he that is against the body of the Bill can be no Committee; And he that being a Committee speaketh against the Bill, may also speak hereafter in the House.

Mr. *Fulk Grevil* said, That a Committee was an artificial body framed out of us who are the general body; And therefore that which is spoken at the Committees, *evanescit*, it is gone, when the body which is the Commitment is dissolved; and then every particular Committee is no more a part of the artificial body but of us the general body, when he hath his free voice as though he had never spoken before.

Then Mr. Speaker stood up and said, I will propound two questions; The first, if when a man hath spoken against the body of the Bill, he may be a Committee; The second, whether any Member of this house after having been a Committee in any Bill, may afterwards speak in the Negative part against the said Bill. Now, quoth he, I will propound the first question: All they that will have a Man that hath been against the body of the Bill to be a Committee, let them shew their opinions by saying Yea; and not one said Yea. All they that will not, say No; All said No. So he did for the second question, and not one said No, but all Yea. Which said Order and resolution was appointed by the House to be entred for a future Precedent accordingly.

Then he put it to the question, whether they of *London* notwithstanding this Order, in respect this Commitment greatly concerneth the State of the City, should be Committees. And the Yeas were greater than the Noes. And thereupon the said Knights and Citizens for *London* were nominated with the other Committees, whose names are now here in the next place inserted out of the Original Journal-Book of the same House in manner and form following.

All the Privy Council and all the Queens Learned Council being Members of the House, All the Serjeants at Law being of this House, Sir *George Moore*, Sir *Thomas Conisbie*, Sir *Charles Cavendish*, Sir *Michael Sands*, Sir *Edward Hobbie*, Sir *William Wray*, the Knights for the Twelve Shires of *Wales*, the Knights for *Cornwall* and *Devonshire*, the Burgesses for the Borough Towns beyond *Trent*, the Burgesses for *Lancaster*, Mr. *Wingfield*, Mr. *Thynne*, Mr. *Fulke Grevill*, Sir *John Egerton*, Sir *Francis Hastings*, Mr. *Carew*, Mr. *Francis Moore*, Mr. *Maynard*, Mr. *Varney*, Mr. *Swaine*, Sir *Robert Wroth*, Sir *Jerom Bowes*, Sir *Moile Finch*, Sir *Francis Darcy*, the Knights and Citizens for *London*, Mr. *Barrington*, Mr. *Hancock*, Mr. *Tate* and Mr. *Thomas Jones*. And the Bill and Committees names were delivered to Mr. *Fulk Grevill*, who with the rest was appointed to meet upon *Wednesday* next in the Exchequer Chamber at two of the Clock in the Afternoon.

On *Thursday* the 12th day of *November*, Five Bills of no great moment had each of them one

reading; of which the last being the Bill to avoid trifling and frivolous Suits in Law, was read the second time and committed unto Mr. *Lasbrooke*, Mr. *Hubbard* and others, who were appointed to meet to Morrow in the Afternoon in the *Middle-Temple Hall* at two of the Clock.

The Bill against Common Solicitors, &c. was read the second time and committed to the last former Committees, who were appointed to meet at the same time and place.

The Bill against fraudulent Administration of Intestates goods, and the Bill for avoiding of unnecessary delays of Execution upon Judgments, were each of them read the third time and passed upon the question, and were sent up to the Lords by Mr. Comptroller, Mr. Secretary *Herbert* and others.

Two Bills also of no great moment had each of them one reading; of which the first being the Bill for Denization of certain persons born beyond the Seas was read the second time and Ordered to be ingrossed.

John Baker was brought to the Bar and charged by Mr. Speaker in the name of this House, with contempt committed by him against the Liberties and Priviledges of this House in Arresting of one *Wooddall* servant unto *William Cooke* a Member of this House; who answered, that he knew not, that the said *Wooddall* did belong unto the said Mr. *Cooke* or unto any other Member of this House: and was by the Order of this House committed to the Serjeant's Custody until to Morrow, at which time the House hath appointed to take further Order therein.

The Bill for confirmation of Grants made to the Queens Majesty and of Letters Patents from her Highness to others, was read the second time and committed unto all the Queens Privy Council being of this House, Mr. *Francis Moore*, Mr. *Tanfield* and others; And the Bill and Committees names were delivered to Mr. Secretary *Herbert*, who with the rest was appointed to meet upon *Saturday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

The Bills formerly appointed to have been sitten upon in Committee upon *Saturday* next, are deferred until *Monday* in the Afternoon.

On *Friday* the 13th day of *November* the Bill for the restraining of Butchers in and about the City of *London* from selling, and covetous Ingrossers from buying of Fells and Sheep-Skins, &c. had its first reading.

Two Bills had each of them one reading; of which the second being the Bill or Petition of Cloth-workers had its first reading.

Mr. *Johnson* made Report of the meeting and Travel of the Committees in the Bill for punishment of idle and base persons, with certain Amendments.

The Bills and Committees names touching trifling Suits and against common Solicitors were delivered to Mr. *Boyce*.

The Amendments in the Bill for punishment of Offences in base and idle Persons were twice read,

and with the Bill Ordered to be ingrossed.

Two Bills also had each of them one reading ; of which the second being the Bill concerning matters of Assurances used amongst Merchants was read the second time, and Committed unto all the Privy Council being Members of this House, all the Doctors of the Civil Law likewise of this House, Sir *Walter Raleigh* and others, who were appointed to meet upon *Thursday* next in the Exchequer Chamber at two of the Clock in the Afternoon.

John Baker was brought to the Bar by the Serjeant and charged by Mr. Speaker with his offence, &c. was asked what he could answer for himself. Upon his humble submission made, earnest protestations of not knowing the said *Wood-dal* to pertain to any Member of this House, and being Sequestred until the House had considered of the same, he was again brought to the Bar and by Order of the House discharged paying his Fees. *Vide* concerning this matter on Yesterday immediately foregoing.

Thus far out of the Original Journal-Book of the House of Commons ; the residue of this dayes Passages are inserted out of the private Journal.

Mr *Hugh Beeston* stood up in the lower end of the House and said, Mr Speaker, We that be here cannot hear you that be above, I would it would please them that speak there to speak louder. Also I am to certify you, that I am here for a Town, but not for mine own Country of *Denbighshire* or for any part thereof ; but if I should not speak somewhat for my Country, I dare never go thither again. Therefore I heartily beseech you, Mr Speaker, That the House may be resolved what course is taken according to the Order of the House for the Election of a Knight and Burgeſs, for they cannot but find themselves grieved for want of the Election. But what is done I know not.

Mr Secretary *Cecill* said, Because I was the Reporter of the stay of the Election, as also of the proceeding. I will now also certify you, that there was Order taken for the sending out of a Warrant for the Election ; but what is done therein, I know not.

Mr Speaker said, I gave Warrant to the Clerk of the Crown according to the antient form to send out a new Writ, who answered me that the Lord Keeper desired to have the Warrant directed to him for a new Writ and for his Warrant for sealing thereof, so that nothing is done therein.

Sir *Edward Hobbie* said, There is no Court that doth not observe his Rites and follow his Priviledges, much more this High Court of Parliament being the greatest, and Commander of all other Courts, doth and ought to observe the same most strictly ; And all the Precedents which I have seen and observed touching this point have ever gone to the Clerk of the Crown and to none other. And therefore I take it, that course ought inviolably to be observed.

Sir *George Moore* said, I agree with the Gentleman that last spake, that Precedents ought to be observed ; but yet not altogether, upon urgent occasion or by necessity of time : knowing this, I take it my duty to inform you, if any alteration have been, it proceeded from the imperfection of a Speaker. It was well observed by an antient Member of this House, that no Conference with the Lords touching a Subsidy should be had : Yet that Rule hath been altered in late Parliaments by reason of special Causes. So do I think it would be more Honourable to this House to direct our Warrant to the Lord Keeper, than to any inferiour Minister in the Chancery.

Sir *Francis Hastings* said, By the leave of your Honourable Favours, I will shew you that I myself was Yesterday with the Lord Keeper, and how Honourably I heard him speak of this House ; that he desired nothing more than to shew the duty and love he beareth us, as also himself would be our immediate Officer, and would be willing and glad to receive a Warrant from us, so it might be directed to him for his discharge, be it in what terms soever we pleased. And he said, he doubted not, but if this Honourable House knew so much, they would rather chuse him than any other for their Minister. Thus much I thought good to certify this House of, which being spoken in private unto me, I now deliver in publick unto you for my own advice. I think nothing can be more Honourable unto this House, than to have a Person of so great Estate, to whom we may direct our Warrant as to our Minister.

Mr *Francis Bacon* said, It is far more Honourable for this House in my opinion, when our Warrant shall move the principal Member of Justice, than when it shall command a base petty or inferiour Servant to the Clerk of the Crown, or the Clerk of the petty Bag. It will be said, that our Warrant *Emanavit improvidè*, when we shall direct our Warrants to these base Officers, when we may move the Great Seal of *England* by it, even as soon as either petty Bag or petty Officer.

Mr Speaker said, I was and ever am Zealous and Jealous of the Priviledges and Orders of this House. I was commanded by you to send forth a Warrant for the Election of a Knight and Burgeſs ; I found a resolution, that during the time of the sitting of this House, the Speaker for a new Election is to make a Warrant directed to the Clerk of the Crown : so that in my doing thereof I hope I have done rightly.

Mr Secretary *Cecill* said, I hope I shall move unto you a Conclusion which will end this Controversie, and in the mean time a saving to all persons. I mean not to second my former Error, for which I was excepted unto ; that is, that Mr Speaker or any Member should attend the Lord Keeper ; but that four might be Assigned by this House to go to the Lord Keeper. I say *to go* (as if he should have said, mark. I say not *to attend*) to the Lord Keeper to know the cause

cause of the stay, as also his request unto this House: And that other six might be Assigned to call before them the Clerk of the Crown, the Clerk of the petty Bag and the Clerk of this House, with their Precedents and Books to see to whom this Warrant hath in former times been directed, and whether the Priviledges in former Ages have danced a Pavin to and fro, and according to the time have been altered. This to be done this Afternoon, and to certifie this House to Morrow, and then we to make a determinate resolution.

To which all said, A good Motion.

Mr *Holcroft* of *Cheshire* said, May it please you, Mr Speaker, the County day for *Denbighshire* is on *Thursday* next, and therefore there had need be speed made, otherwise there can be no Election this Parliament.

Mr Speaker said, Will it please you to name the six Committees, so the House named Sir *Edward Hobbie*, Serjeant *Harris*, Sir *Francis Hastings*, &c. The Speaker likewise said, Will it please you to name the four to go to the Lord Keeper, so the House named Secretary *Herbert*, Sir *Edward Stanhop*, Sir *Edward Stafford* and Mr *Fulk Grevill*.

Thus far out of the aforesaid private Journal. The next dayes Passages do now follow in part out of the Original Journal-Book it self.

On *Saturday* the 14th day of *November*, Mr *Cotton* a Member of this House moved for the receiving of two Bills, which he then offered to the consideration of the House, and were accepted accordingly; but were not then read by reason of sundry occasions of lett, and for that also Mr Speaker had not perused them.

Three Bills also had each of them one reading; of which the third being the Bill that *Edward Markham* may dispose of his Lands as other Tenants in Tail lawfully may do, was read the second time, and committed unto Sir *Robert Wroth*, Sir *Moyle Finch* and others, who were appointed to meet upon *Friday* next at two of the Clock in the Afternoon in the Court of Wards, and the Parties whom it concerneth to bring their Evidences and Writings to the Committees.

One other Bill touching making of Cloathes was read *primâ vice*.

Mr *Johnson* informed the House, that sundry Members of this House have been served with *Subpœna's*, viz. *Edward Mountague Esq;* to appear in Chancery upon the 6th day of this instant *November ad respondend. Will. Riddlefen*; upon Sir *Michael Sandes* to appear in the *Kings-Bench ad testificand' die Veneris prox' post Crast' Sancti Martin.* at the Suit of *John Stow*; upon *Godard Pemberton* to be in the Chancery, *vii^o die Novembr. ad Sect. Will. Wood.* Whereupon the Serjeant was appointed to bring unto this House the persons that served or do prosecute the said *Subpœna's*, to Answer in this House for their said Contempts.

Thus far out of the Original Journal-Book of the House of Commons; the further dispute of

this business and the residue of the Passages of this day are in the next place supplied out of the often before-recited private Journal of the said House.

The said Mr *Johnson* after he had vouched the aforesaid precedent instances touching other Members of the House that had been served with several *Subpœna's*, certified the said House further thus much, that the Informer came to his Lodging this Morning as he was coming out of his Door and asked for him; he told him he was the man. Then said the Informer, The Queen Greets you well. What's this quoth I? A *Subpœna* quoth the Informer, and I charge you to appear upon it according to the Contents. Then I told him that I was of this House and could not attend. He Answered me again, there it is, I care not, look you to it at your peril.

Mr *David Waterhouse* stood up and shewed, that that *Subpœna* came out of his Office, and further shewed the necessity of obeying of it, for that a Cause for want of Witnesses might be lost; therefore the hearing being appointed at a day certain, the Client might peradventure be undone if he should not have this *Subpœna ad testificandum* in due time both served and appeared unto.

Sir *Edward Hobbie* alledged divers Precedents touching this point, as 10 *February* 27th *Eliz.* Mr *Kerle* served one *Roger Stepney* with a *Subpœna* into the Star-Chamber, and for this he was adjudged to the Serjeants keeping for six dayes, and to pay five Marks Charges: And 25 *March* 27 *Eliz.* Mr *Crooke* served a Member of this House with a *Subpœna* into Chancery, and for so doing was adjudged to give a Copy of the Bill, twenty shillings for Charge, and was Committed.

Mr *Wiseman* said, notwithstanding the Allegations and excuse of the Gentleman that spake in favour of the *Subpœna ad testificandum*, I think it deserveth no less favour than the other: For if the necessity of the Cause were such that he must needs be served and spared out of this House, the party ought to ask leave of the House, or at least of the Speaker, or intreat him to relate the same to the House.

Sir *George Moore* said, I think as the Gentleman that last spake, for the like *Subpœna* being brought the last Parliament, it grew to a question, whether it were an impeachment to the Priviledge of the House; And after some dispute, an antient Member of this House shewed divers Precedents how that the minds of the Members of this House ought to be freed as well as their bodies. Whereupon two Members were sent to require the Lord Keeper to reverse that *Subpœna*, &c. He also spake of a *Quo Warranto* for the Liberties of the *Black-Fryars* withheld, but to what purpose *ignoro*.

Then it grew to a question, whether a Burges of a Parliament may be served with a *Subpœna ad testificandum*; And it was concluded that he could not.

So after this dispute they agreed, that the Ser-

jeant should be sent to Arrest all those to appear that had procured the *Subpœna's* aforefaid, to Answer their contempts with all speed.

Sir *Francis Hastings* stood up and made a relation of the proceedings which he with the other Committees had made according to the Commandment of the House the day before. He said, We called before us the Clerk of the Crown, the Clerk of the petty Bag, and our Clerk of the Parliament.

The Clerk of the Crown shewed us five Warrants and one Order, all one Course and one form, and all in the 27 *Eliz.* Three of the Warrants were directed to the Clerk of the Crown, two without direction; and he shewed us Writs without Warrant. Then we called the Clerk of the petty Bag, who would shew us no Warrant but only a Record of Writ in his Roll of 39 *Eliz.* only he said (but we heard him not) that Warrants had been granted to the Clerk of the petty Bag. The Clerk of the Parliament shewed unto us two Precedents of 5 *Eliz.* and of 13 *Eliz.* every one without direction, but with these words or to the like effect as I take it, [It is required such and such a thing be done.]

Sir *Edward Hobbie* said, Because the truth hereof may be made more plain, and that it pleased you to command my unworthy self to attend Yesterdays Service, I will under favour of the Gentleman that last spake, make a Repetition *ab origine*, a little longer than he did, for your satisfactions of this Cause and our pains. It pleased you to depute six to this service, five attended. The Serjeant at Law (Serjeant *Harris*) of whose furtherance we best hoped, deceived both your and our expectations. The Clerk of the petty Bag, the Clerk of the Crown and the Clerk of the Parliament attended us. The Clerk of the Parliament delivered unto us a fair Record containing a Writ sent out *sedente Parlamento* (for so are the words) it was for the Knights of *Yorkshire* and *Lancashire*, and this was all he could shew; only he said, an old Officer would be sworn, there were more, but lost by *Garth's* decease. The Clerk of the Crown dealt with us two ways, The First by way of experienced Officers, The Second by way of Precedent. For the First, one *Stephen Brown* was brought forth before us who hath been an Officer in the Crown-Office these thirty six years: And being asked if he knew how Warrants were directed, he answered, that in the time of the Lord Keeper *Bacon*, he that was Speaker of this House directed them to the Clerk of the Crown: Being further asked, if they were impugned; he Answered, No. Being asked, where these Warrants were kept; he said, on the Labels in the House. The said Clerk shewed us five Precedents and one Order, the rest were lost by Mr *Watson's* death, as the other Precedents were by the death of Mr *Garth*, the Clerk of the Parliament of the 13th of Queen *Elizabeth*, when Sir *Christopher Wray* was Speaker: As also One Order dated 18th of March 1580. *die Sabbathi*, that a Warrant should

be directed to the Clerk of the Crown to chuse a new Burgeſs for *Normich* instead of one *Beaumont*, the words whereof were, It is required of the Knights, Citizens, Burgeſſes and Barons, &c. As also another Order dated *die Sabbathi* 18^o *Martii* 1580. in these words, It is further agreed upon and resolved by this House, that during the time of sitting of this Court, there do not at any time any Writ go out for the chusing or returning of any Knight, Citizen, Burgeſs or Baron, without the Warrant of this House first directed for the same to the Clerk of the Crown according to the Ancient Jurisdiction and Authority of this House in that behalf accustomed. And another Warrant subscribed *Henry Gates* and *Will. Fleetwood* who were Committees in examination of a Cause touching *Henry Bermaker* and *Anthony Wilde*, the effect whereof was, That forasmuch as they were Arrested into the Kings Bench, whereas we find them privileged as Members of this House, a Warrant was directed to the Clerk of the Crown for making Writs of Privilege as aforefaid. Dated from *Westminster* the sixth day of *December*. Therefore for mine own opinion and according to these Precedents, I think they ought to be directed to the Clerk of the Crown.

Sir *George Moore* stood up and shewed a Precedent dated on *Friday* the second day of *March* 35^o *Eliz.* where a new Writ was to be Awarded out concerning Mr *Fitzherbert*, and all Writs of privilege to come from the Chancery; And the Speaker made a new Warrant to the Lord Keeper to make a new Writ. In the like case both touching *Southwark* and *Melcombe Regis*; for I think the Warrant ought to be directed to the Lord Keeper.

Mr *Pate* of the *Middle-Temple* shewed that *Ratio Legis* was *Anima Legis*; And he that presents a Precedent without a reason, presents a body without a soul. There is a difference in Writs; there are *Brevia ex gratia speciali* and *Brevia curſoria*: And therefore when the Warrant hath gone from the Speaker to the Clerk, it hath caused the Writs of course by the Lord Keeper.

Mr Secretary *Herbert* shewed how that he with other three by their Commandments had been with the Lord Keeper whom he found most Honourably to entertain and receive both him and the rest: And that his Lordship did greatly respect both the majesty and gravity of this Assembly, and said, that he would be loth to derogate any thing from either: Notwithstanding he hoped and prayed that if any further Precedents had improvidently gone from this House, or contrary to the most antient usage, that we would now settle our resolution, and stablish and decree that which might be a sufficient Warrant unto him to put in Execution our Commands, and also increase the Majesty and Honour of this House, which he most heartily wished might ever continue. And for my part, thus much I can assure you, that we cannot wish him to be more Honourable or more agreeable to this House than we found him.

Henry

Henry Doyley of *Lincolns-Inn* said, Mr Speaker, I take it there is a Precedent this Parliament which will decide this Controversie. For an Honourable Person of this House being chosen with my self Burgeses for *Wallingford*, and also Knight of a Shire, chose to be a Knight; And a Warrant went from you Mr Speaker, directed to the Clerk of the Crown for the Election of a new Burgeses, who is since Chosen and Sworn, and is now a Member of this House, Mr *Thomas Fortescue* by name.

Mr *Flemming* said, The Clerk of the Crown is our immediate Officer; he is to be Attendant between the two Doors of the Upper House and Lower House, when any Warrant General is required, he is to subscribe it, to certifie it, &c. he is to convey our minds and Messages to the Upper House, &c. Yea this Warrant is to be directed to him.

Then all cryed to the question.

Then Mr Speaker stood up and said, The Question must stand on three parts, First if the Warrant shall be directed to the Clerk of the Crown; Secondly to the Lord Keeper; Thirdly, if without any direction.

The House after this Speech was in great murmur and very loud; then stood up one and said, Mr Speaker, Let the first Question stand, and then all will be at an end. Then the Speaker said, Shall the first question stand? And all said Yea.

Then he said, All those that will have the Warrant directed to the Clerk of the Crown cry Yea, and all those that will not, cry No. And the Yeas got it a little.

Then he asked if he would have this Order entred of Record, and all cryed Yea, Yea.

Thus far out of the private Journal: Now follows some part of the next days Passages out of the Original Journal-Book it self.

On *Monday* the 16th day of *November*, Five Bills of no great moment had each of them one reading; of which the first being the Bill for enabling *Edmund Mollineux* Esq; to sell Land for the payment of his Debts; And the last being the Bill for reformation of abuses used in buying and selling of Spices and other Merchandizes, had each of them their first reading.

Thus far out of the Original Journal-Book of the House of Commons; the residue of this days Passages for the most part is transcribed out of that often before-mentioned private Journal.

Mr *Henry Doyley* a Barrester of *Lincolns-Inn* made a Motion and said, Mr Speaker, I think my self bound in Conscience to certifie you of an Infamous Libel that is newly Printed and spread abroad since the beginning of this Parliament; Saving your presence, Mr Speaker, It is called *An Assembly of Fools*. I desire that the Printer that Printed it may be sent for; he dwelleth over against *Guildhall-Gate*.

The House wondred much at this Motion, and great murmuring there was; At last the Speaker asked him where the Book was, and where he saw it.

He Answered, In the hands of one Mr. *Henry Davies* his Clerk of *Lincolns-Inn*, but the Clerks name he knew not. The Serjeant upon Consultation was sent for Mr. *Davies* and his Man into the Hall. After a while they came up, and notice being given thereof, the Man only was sent for into the House, who being asked what was his name; he said it was *John Baker*: being asked of whom he had the aforesaid Book; he said of *Jeremy Gouge* of *Cliffords-Inn*: being asked how long he had had it; he Answered three or four days: being asked if he knew it to be a Libellous and Seditious Book; he Answered that he never knew any such matter in it: being asked where the Book was; he said at his Masters Chamber. Then the Serjeant was commanded to take him forth, and to command one of his men to go with him to *Lincolns-Inn* to fetch the Book.

Then the Speaker asked if they would have his Master in, but Mr. *Doyley* stood up and said, Mr. *Davies* was a very honest Gentleman, and shewed him the Book first, and wished him to complain unto this House. He wished Mr. *Davies* might be stayed till the Book were brought; and if then it pleased them to send for him into the House, they might, &c. So he was stayed. In the mean time Mr. *Davies* his man went to the Chamber for the Book, which after it was brought and well scann'd by the Privy-Council, it was found to be a meer Toy, and an old Book Intituled the Second Part of *Jack of Dover*, a thing both stale and Foolish; for which they said Mr. *Doyley* was well laughed at, and thereby his credit much impeached in the Opinion of the House. Whereupon Mr. Speaker asked, if they would have Mr. *Davies* and his Man brought into the House; And all cryed No: Then if they should be discharged, and all said Yea, Yea.

The Bill for redressing certain inconveniences in the Statute of 21 Hen. 8. Cap. 13. Intituled An Act against Pluralities of Benefices for taking of Farms by spiritual men and for Residence, was read the second time and disputed, whether it should be committed, in manner and form following, viz.

Mr. *Dunn* spake against this Bill and said, it was no reason that men of unequal desert should be equally Beneficed or equalized with the best.

Doctor *Crompton* amongst many other Speeches wished that Pluralities of Offices might be taken from the Laity, and then Pluralities of Benefices from the Spirituality. Also in former Ages, he said, Impropriations were given to the Spirituality, and then no Pluralities allowed; as also Spiritual men bound by Ecclesiastical Canons of their own from Marriage, so that they might live with far less charge than now they do: But having taken from them first the Impropriations they cannot keep that Hospitality which is required; And next, Marriage being tolerated among them, they living at great charge both of

Wife

Wife and Children, one Benefice of small Cure sufficeth not.

Sir George Moore said, He thought the Bill most fit to be committed, it being in the general opinion a good Law, and tending to a good and a religious end; and such is the iniquity of this Age, that for want of a good Law of this nature, many Souls do not only languish but perish everlastingly for want of Spiritual Food. I think therefore, that though there be some imperfections in the Bill, yet the body and parts of it may be amended to every mans satisfaction.

Mr. Lock said, Mr. Speaker, I think bare silence is not an exoneration of a Mans Conscience; the similitude of Offices and Benefices made by the Doctor doth not hold, under favour; for *Non est incipiendum cum Laicis, sed incipiendum à Domino Dei*; Therefore if they begin first, we shall follow in avoiding Pluralities.

Doctor James said, That it had been said, That Pluralities were the cause of bringing corruption into the Church; but for that, under favour, said he, I think the contrary, because corruption is commonly where Poverty is; but if competent living be given to the Minister, I see no reason why just men should judge there to be corruption. Secondly, It was said, that it would be a means of Preaching the Word; for that I Answer, that if hope of competent living be taken away, it will be a means to make the best Wits refuse the study of Divinity. And therefore an Historian saith well, that *Sublatis præmiis corrumpunt Artes*. Consider besides, that in England there are above eight thousand eight hundred and odd Parish Churches, six hundred of which do but afford competent living for a Minister; What then shall become of the multitude of our Learned men? they have no other Preferments unless it be to get some Deanery, Prebendary or such like, which is no easy matter to do, they being so few, especially in this Catching Age. To give the best Scholar but as great proportion as the meanest Artisan, or to give all alike, there is no equality; for *inequalibus equalia dare absurdum*. And this will breed Poverty in the greatest Learned; which is the Mother of Contempt, a thing both dangerous and odious unto Divinity; This must needs enforce Preachers to preach *placencia*, which is a thing abhor'd even of God himself. A Preacher who is no ordinary person, ought to have an extraordinary reward; for the Canon saith he must be *ad minimum Artium Magister, aut publicus aut idoneus verbi Divini Concionator*.

Mr. David Waterhouse said, Mr. Speaker, Because my self am an Officer, I mean only to speak of the Doctors similitude of Pluralities of Offices. By the Common Law, an Officer shall forfeit his Office for Non-Attendance; so for a Benefice the Incumbent shall also forfeit. But after, the Statute came which made this toleration upon eighteen days absence; so that now if we set this Statute at liberty again, this shall be no in-

novation in us; but a renovation of the Common Law. And I will end only with this Caution to the House, that commonly the most Ignorant Divines of this Land be double Beneficed.

Mr. Serjeant Harris said, We seem to defend the Priviledges and Customs of the House, but if we proceed to determine of this Bill, Mr. Speaker, we shall not only infringe a Custom which we have ever observed, viz. to meddle with no matter that toucheth her Majesties Prerogative; but also procure her great displeasure. Admit we should determine of this matter, yet her Majesty may grant toleration with a *Non obstante*. And, Mr. Speaker, the last Parliament may be a warning to us when the like Bill by us was prefer'd, and the same not only rejected, but also her Majesty commanded the Lord Keeper to tell us, that she hoped we would not hereafter meddle in Cases of this nature so nearly touching her Prerogative Royal.

Mr. Martin spake to this effect: I agree with one that said, Learning should have her Reward; but I say more, that our Souls should have their Spiritual Food; And I do wish, that Divines may have promotion not only with good convenience, but also with good abundance. Though I be Zealous, yet I hope to refrain and restrain my self from that heat, which the heat of my Zeal and love of my Country drew me into very lately, for which I do not only acknowledge my self guilty in your Censures, but also crave Pardon of every particular Member of this House, that heard me, but most especially of him I offended. But touching this Bill Mr. Speaker, and so he spake to the Bill, &c.

After this Speech an old Doctor of the Civil Law spake; but because he was too long and spake too low, the House hawk'd and spat and kept a great coil to make him make an end. Which Speech finished,

Sir Francis Hastings stood up and said, My Masters, I utterly dislike this strange kind of course in the House, it is the antient usage that every man here should speak his Conscience, and that both freely and with attention, yea though he speak never so absurdly. I beseech you therefore that this may be amended, and this troubling of any man in his Speech no more used. But to the matter, Mr. Speaker, I protest that which I shall speak I will utter to you all out of the Conscience of a Christian, Loyalty of a Subject, and heart of an Englishman. I know that *Distributio Parochiarum est ex jure humano non Divino*: But he that said so much, give me leave to tell him, that *Distributio verbi Divini est ex jure Divino & humano*. If then by the distributing and severing of Benefices to divers learned men, the Word may be the better distributed unto the people, and preached, as God be thanked, it hath been these forty three years under her Majesties happy Government, (the point of whose dayes I beseech the Almighty may be prolonged) I see no reason, Mr. Speaker, why we

we should doubt of the goodness of this Bill or make any question of the committing thereof, &c.

Mr. Roger Owen (after particular Answers to divers particular Objections by Doctors) shewed that a Statute was but *privatio communis juris*; And this Act will make no Innovation, because it repeals only the Proviso and not the Body. Whereas it was said by a Doctor, that *Honos alit artes*, and much more to that purpose; And if you take away the honour and reward, then you take away the Study it self: For Answer thereunto, Mr. Speaker, I say under favour, that this Statute takes away no Benefices from the Clergy, but doth only better order the distribution of Benefices among the Clergy. For another Doctor that alledged a Canon confirmed under the Great Seal of *England*, I say, under favour, that they of the Clergy and not we of the Laity are bound thereby; for they are as it were By-Laws to them, but not to us.

Then the Speaker stood up and put it to the question for the Commitment. Whereupon it was Ordered by the more Voices that it should be Committed: But the Committees Names being omitted in the private Journal, they are supplied out of the Original Journal-Book it self, and were as followeth, *viz.* All the Queens Privy Council and all the Learned Council being Members of this House, Sir Walter Raleigh, Sir Francis Hastings, Sir Carew Reynolds, Mr. Francis Bacon and divers others, who were appointed to meet upon *Friday* next in the Exchequer Chamber at two of the Clock in the Afternoon.

Mr. Speaker did lastly this Forenoon move the House to resolve whether they would sit to Morrow or no, it being the day of her Majesties most Blessed and Hereditary Succession to the Crown of *England*: To which after a little Speech had, It was agreed by the House, that after the Sermon was done at *Westminster*, which would be ended by ten of the Clock, they would sit the residue of the Forenoon; And this was affirmed to be the antient Custom.

On *Tuesday* the 17th day of *November*, Three Bills of no great moment had each of them one reading; of which the first being the Bill for the enabling of *Edward Nevill* of *Berling* in the County of *Kent*, and Sir *Henry Nevill* Knight his Son and Heir Apparent, to dispose of certain Copyhold Lands, &c. was read the first time; And the third being the Bill against unlawful Hunting of Deer or Conies in the Night time was read the second time, and upon the question of ingrossing was rejected.

Heyward Townsend of *Lincolns-Inn* Esq; delivered in a Bill to Mr. Speaker, Intituled An Act to prevent Perjury and Subornation of Perjury, and unnecessary expences in Suits of Law. Upon the delivery whereof he said, Mr. Speaker, I take every man bound in Conscience to remove a little mischief from the Common-Wealth before it take Head and grow to a great inconvenience. This mischief is ordinary and general, and there-

fore (though but small) to be considered and provided for. And if a Heathen Philosopher could admonish us *obstare principiis*, I see no reason but men indued with Christianity should be sensible of the least hurt or sore growing in his Country, either regardless or respectless. For which purpose a Gentleman well experienced, having found this grief common to the poorer sort, like a good Subject tendring all the parts of this Common-Wealth, engaged me at my coming into the House this Morning to offer unto all your considerations this Bill, which it may please you to entertain with that willingness it is offered. I doubt not but this inconvenience will quickly be redressed. And thereupon the Bill according to the desire of the said Mr. *Townsend* had its first reading.

The Bill for Confirmation of Letters Patents made by King *Edward* the Sixth unto Sir *Edward Seymour* Knight, was upon the second reading committed unto the Queens Learned Council Members of this House, the Masters of Request, Sir *Robert Wroth*, Sir *Maurice Barkley* and others, who were appointed to meet in the Committee Chamber of this House upon *Friday* Morning next.

The Bill for the strengthening of the Grant made for the maintenance and Government of the House of the Poor called *S^t Bartholomews* Hospital, of the Foundation of King *Henry* the Eighth, was read the second time and committed unto all the Queens Learned Council being Members of this House, Mr. Doctor *Cesar*, Sir *Edward Hobbie*, Sir *Robert Wroth*, Mr. Dr. *Bennet* and others, who were appointed to meet upon *Saturday* next at *Lincolns-Inn* Hall at two of the Clock in the Afternoon.

The remainder of this days Passages follows out of the private Journal.

An Act to suppress the Sin of Adultery was read the first time; The substance whereof was, that if a Woman or Man or both were Convicted of Adultery, he should lose his Tenancy by Courtesie, and she her Tenancy in Dower.

To which Bill Serjeant *Harries* stood up and said, Mr. Speaker, by the scope of this Bill, the determination of this fact must be by two or three blind Witnesses in the Ecclesiastical Court; which is no reason, that Judges Ecclesiastical should determine of Lay-mens Inheritances. Besides, there is another gross fault in the Bill, for if they be both poor, and have nothing but Goods, if the man be taken in Adultery, he shall not be punished, because there is nothing of which he should be Tenant by the Courtesie; But if the Woman be taken she is to lose the third of the Goods, or if it be in the City by Custom she loseth the half, which is *jus inaequale*, and not to be admitted by this House.

Then all the House cryed, Away with it.

And the Speaker putting it to the question whether it should be read the second time, the House gave a great No.

On *Wednesday* the 18th day of *November*,
N n n n Three

Three Bills had each of them one reading ; of which the last being the Bill or Petition of the Cloth-workers was read the second time and committed unto the Queens Learned Council, Members of this House, the Burgeſſes for all the Cloathing Towns, the Knights for the Shires of *Somerſet, Wilſhire, Berks, Suffolk, Eſſex, Kent, Surry and Hampſhire*, Mr *Francis Moore*, Mr *Bond*, the Citizens for *York*, Mr *Phillipps*, Mr *Boyce*, Mr *Snigg*, Sir *Percival Hart*, Sir *Moyle Finch*, Sir *John Harrington*, Sir *John Lemſon*, Sir *Francis Darcie*, Sir *Walter Raleigh*, Mr *Lieutenant of the Tower*, Mr *D^r Caſar*, the Knights and Citizens for *London*, Sir *Walter Cope*, Sir *Robert Wroth*, the Burgeſſes for all the Port Towns, Mr *Hide* and Mr *Thomas Caſar*, who were appointed to meet in the *Middle-Temple Hall* upon *Monday* next in the Afternoon at two of the Clock.

Sir *Francis Haſtings* brought in the Bill againſt Swearing from the Committees (who were appointed on *Tueſday* the 10th day of *November* foregoing) and a new Bill drawn to the ſame purpoſe by the ſaid Committee.

The Bill touching repeal of ſome parts of former Statutes touching Cloth, was read the ſecond time and committed to the laſt former Committees for Cloth-workers, to meet at the ſame time and place.

Mr. *Jones* one of the Committees in the Bill touching common Sollicitors, brought in the Bill amended with ſome Additions and Alterations: And Mr *Boyce* likewiſe brought in the Bill touching trifling Suits being ſomewhat amended by the Committees.

Mr. *Francis Moore* a Committee in the Bill for confirmation of Grants made to the Queens Maſteſty and of Letters Patents made from her Highneſſe to others (who were appointed on *Thursday* the 12th day of this Inſtant *November* foregoing) brought in the Bill with two Proviſoes and certain Amendments.

The Bill for reformation of many abuſes in making of Cloths, was read the ſecond time and committed to the laſt former Committees for Cloth-workers to meet at the ſame time and place.

Mr. *Bacon* one of the Committees in the Bill touching proceſſ and pleadings in the Court of Exchequer, maketh Report of the travel and meeting of the Committees; and brought in a new Bill drawn to the ſame purpoſe; upon the referring whereof he ſpoke as followeth, (out of the Private Journal.)

Mr. Speaker, This Bill hath been deliberately and judiciouſly conſidered of by the Committees, before whom Mr. *Osborn* came, who I aſſure this Houſe, did ſo diſcreetly demean himſelf and ſo ſubmiſſively referr'd the State of this whole Office to the Committees, and ſo well answered in his own defence, that they would not ranſack the Heaps or ſound the bottom of former Offences, but only have taken away ſomething that was ſuperfluous and needleſſe to the Subject. Touching the Committees they have reformed part; Yet

they have not ſo nearly eyed every particular, as if they would pare to the quick an Office of her Maſteſties gift and Patronage. This Bill is both publick and private; publick becauſe it is to do good unto the Subject; and private, becauſe it doth no injuſtice to the particular Officer. The Committees herein have not taxed the Officer by way of imputation, but removed a task by way of Impoſition. I will not tell you what we have taken away either in *quo titulo's* or Exchequer language, but according to the Poet who ſaith, *Mitte id quod ſcio, Dic quod rogo*; I will omit that which you have known, and tell you that you know not and are to know, and that in familiar terms. And ſo he told the ſubſtance of the Bill. We found that her Maſteſty whoſe eyes are the Candles of our good days, had made him an Officer by Patent; in which that he might have right, her Maſteſties Learned Council were there in Centinel to ſee that her Maſteſties right might not be ſuppreſſed. If my memory hath failed me in delivering of the truth of the proceeding and the Committees determination, I deſire thoſe that were preſent to help and aſſiſt me. Here is the Bill. So he called aloud to the Serjeant of the Houſe and delivered him the Bill to deliver to the Speaker, which ſaid Bill was read *primâ vice*.

The Amendments and provisions in the Bill for confirmation of Grants made to the Queens Maſteſty and of Letters Patents made by her Highneſſe to others, were twice read, and the Bill Ordered to be ingroſſed.

Three Bills had each of them one reading; of which the third being the Bill againſt wilful abſence from Divine Service upon the *Sunday*, was upon the ſecond reading committed unto Sir *Francis Haſtings*, Sir *Robert Wroth* and others; And the Bill and Committees names were delivered to Sir *Robert Wroth*, who with the reſt was appointed to meet this Afternoon in the Exchequer Chamber at two of the Clock.

The Bill touching Cloths and Cloth-workers were delivered to Mr. *Snigg* one of the Committees.

On *Thursday* the 19th day of *November*, Nine Bills had each of them one reading; of which the laſt being the Bill for the enabling of *Edward Nevill* and Sir *Henry Nevill* Knight his Son and Heir apparent, &c. was upon the ſecond reading committed unto all the Queens Learned Council being of this Houſe, Sir *George Moore*, Sir *William Wray* and others, who were appointed to meet upon *Tueſday* next in the Court of Wards at two of the Clock in the Afternoon, and the Council of all ſides to be there to attend the Committees.

The Committees in the Bill for ſetting of Watches (who were appointed on *Saturday* the 7th of this Inſtant *November* foregoing to meet this day) are deferred till *Tueſday* next in the Court of Wards.

Upon Motion made unto this Houſe, It is declared, that one *Roger Buſton* Servant, a Solicitor unto *Langton* Eſq; Baron of *Walton* in

in the County of *Lancaster*, who upon credible Report of some Members of this House, is Chosen a Burgess for the Borough of *Newton* in the said County of *Lancaster*, but not as yet returned by the Clerk of the Crown into this House, hath been Arrested in *London* during this Session in an Action of Debt, at the Suit and procurement of one *Muscle*, the same *Muscle* knowing the said *Roger Buston* to belong to the said Baron of *Walton*; which said *Muscle* was by Order of this House sent for by the Serjeant of this House, together with the Officer who made the Arrest, to Answer unto this House for their said Contempts. And being brought to the Bar and Charged by Mr. Speaker with their said offence in the name of this whole House, were heard what they could say for their defence. And after sundry questions Ordered that the said *Roger Buston* should have the Priviledge of this House and be discharged of his said Arrest and Imprisonment: And likewise Ordered that the said *Muscle* the Procurer, and the Officer that made the said Arrest, should be both committed Prisoners to the Serjeants Custody for three dayes, and pay such charges as shall be Assessed by Mr. Speaker unto the said *Buston*, besides the Fees of the Serjeant and Clerk.

The Bill for Confirmation of Grants made to her Majesty; and of Letters Patents made by her Majesty to others was read the third time and passed upon the question.

Now follow some Passages of this day out of the said private Journal.

Secretary *Herbert* said, According to your Commandment, Sir *Edward Stafford* and my self went to the Lord Keeper, and delivered unto him, that notwithstanding some Allegations which were alledged on the behalf of his Lordship, our Resolutions touching the Warrants, upon mature deliberation, and upon search of Precedents were, that they ought to go and be directed to the Clerk of the Crown from the Speaker. His Lordship after a small pause Answered, That he now considered the weightiness of divers busineses which were in hand, the Consultation which we were likely to have presently touching the Bill of Subsidy; that the Enemy the Spaniard was landed in *Ireland* and the busines of those affairs of great import; as also his own busines in the Upper House, and the short end which was likely to be of this Parliament; And therefore he would not now stand to make contention, or shew his further reasons; but prayed to certifie you all, that he would be most ready and most willing to perform the desire of this House.

The Bill of Petite Thefts and Larcenies, and the Bill for Confirmation of Grants made to her Majesty and of Letters Patents made from her Majesty to others were sent up to the Lords by Sir *John Fortescue*, Mr. Secretary *Herbert* and others.

The Bill to restrain transportation of money out of the Realm of *England* and to reform cer-

tain abuses in Exchanges was read the second time.

Mr *Fettiplace*, a Burgess for *London*, spake to this Bill, and said, it is to be thought that the *Netherlands* having so much use for money, is the Exporter thereof out of this Realm. The *French King* made it a Law that no man upon pain of Death should export money thence. *Germany* holdeth the Standard, so doth *France*, so do we; but the *Netherlander* only doth not, and he only gaineth of all three. There be good Statutes already made to this purpose both in the time of King *Rich. II. Hen. III. Hen. IV. Hen. V. and Hen. VI.* that no Strangers should bring Commodities into this Land, but he should bring so much money. He made a very long Speech touching the manner of Trade by Exchange in Merchants Language, &c. and concluded with desire of Commitment, and that the Merchants might be called. And thereupon it was committed to divers of the Committees who were appointed to meet this day Seven-night at two of the Clock in the Afternoon in the Exchequer Chamber.

The Bill or Petition of *Theophilus Adams* was read the first time.

On *Friday* the 20th day of *November*, Seven Bills of no great moment had each of them one reading; of which the first being the Bill touching the Lordship of *Landowflowre* alias *Landoverowre*, and the last being the Bill prohibiting Fairs and Markets, had each of them their first reading.

Sir *Francis Darcy* maketh Report of the meeting and travel of the Committees in the Bill touching the coming to Church, and brought in the Bill with two Provisoos and some Amendments.

The same Amendments being twice read, the Bill upon the question and division of the House was dashed, viz. with the Yea a hundred thirty seven, and with the No a hundred and forty.

One Mr *William Morrice* Burgess for *Beumaries* informed the House that as he was coming up to *London* on his way his Man was Arrested at *Shrewsbury*; whereupon he told the Serjeant that he was of the Parliament-House, and therefore wished him to discharge his Servant. The Serjeant Answered, that he could not discharge him, but said, that he would go to the Bayliff with him; to whom when he came, he likewise declared that he was of the Parliament House, and therefore required his Servant. To whom the Bayliff Answered, that he could not discharge him without the consent of the Party that procured the Arrest; To whom he also went, and he Answered the Serjeant and him saying; Keep him fast, I will not release him till I be satisfied. Then he told the Creditor, that he was of the Parliament-House, and therefore his Servant was Priviledged. Whereunto the Creditor made this Answer, I care not for that, keep him fast, I will be your Warrant. I thought good to move the House herein, referring it to your

considerations. And because I am willing that the Priviledges of this House may be known as well far off as here at hand, I thought good to move the same.

Mr *Francis Moore* said, Mr Speaker, Methinks this Action is very scandalous to this whole House. And because it is a Case both extraordinary and contemptible, in my opinion it deserveth a most severe and exemplary punishment.

Whereupon all the House cryed, To the Tower, to the Tower with them, send for them, send for them.

Mr Speaker said, It is your Pleasure, the Bayliffs and he that procured the Arrest and the Serjeant shall be sent for. All cryed Yea. Then the Speaker said, The Serjeant must go down to *Shrewsbury*; all cryed Yea.

The Speaker gave the Clerk a Bill to read, and the House called for the Exchequer Bill; some said Yea, some said No, and a great Noise there was: At last Mr *Lawrence Hide* said, Mr Speaker, to end this Controversie, because the time is very short, I would move the House to have a very short Bill read Intituled An Act for the Explanation of the Common Law in certain Cases of Letters Patents. All the House cried I, I, I.

So after it was read, the question was to be propounded for the committing of it, and some cryed commit it, some ingross it; at length

Mr *Spicer Burge* of *Warwick* stood up and said, Mr Speaker, This Assembly may be said to be *libera mens & libera lingua*, therefore freely and faithfully, that which I know I will speak to this House. This Bill may touch the Prerogative Royal, which as I learned the last Parliament is so transcendent, that the of the Subject may not aspire thereunto. Far be it therefore from me that the State and Prerogative Royal of the Prince should be tied by me or by the Act of any other Subject. First, Let us consider of the word *Monopolie* what it is, *Monos* is *Unus*, and *Polis* is *Civitas*; so then the meaning of the word is, a restraint of any thing publick in a City or Common-Wealth to a private use, and the User called a Monopolitan, *quasi cuius privatum lucrum est urbis & Orbis commune malum*. And we may well term this man the Whirlpool of the Princes profit. Every man hath three special Friends, his Goods, his Kinsfolks and his good Name; these men may have the two first, but not the last. They are *Insidiosa quia dulcia*, they are *dolosa quia dubia*. I speak not, Mr Speaker, neither repining at her Majesties Prerogative, or misliking the reasons of her Grants; but out of grief of heart, to see the Town wherein I serve pester'd and continually vext by the Substitutes and Vicegerents of these Monopolitans, who are ever ill-disposed and affected Members. I beseech you give me leave to prove this unto you by this Argument. Whosoever transgresseth the Royal Commission of her Majesty being granted upon good and Warrantable Suggestions, and also abuseth the Authority and Warrant of her

Majesties Privy-Council being granted unto him for the more favourable Execution of his Patent; this man is an evil-disposed and dangerous Subject. But that this is true and hath been done by one Person, a Substitute of a Patentee, I will prove unto you. The *Major* needs not be proved; the *Minor* I will thus prove. My self am *Oculatus testis* of this *Minor*, *Et talis testis plus valet existens unus quàm auriti decem*. The Substitutes for *Aquavite* and Vinegar came not long since to the Town where I serve, and presently stayed sale of both these Commodities; unless the Sellers would compound with them, they must presently to the Council-Table. My self though ignorant, yet not so unskilful, by reason of my profession, but that I could judge whether their proceedings were according to their Authority, viewed their Patent, and found they exceeded in three points: for where the Patent gives

Months liberty to the Subject that hath any *Aquavite* to sell the same, this Person comes down within two Months and takes Bond of them to his own use, where he ought to bring them before a Justice of Peace, and they there to be bound in Recognizance, and after to be returned into the Exchequer; and so by Usurpation retaineth Power in his own hands to kill or save. Thus her Majesties Commission being transgressed, as a sworn Servant to her Majesty, I hold my self bound to certifie the House thereof; and also that this Substitute stands Indicted as an obstinate Recusant: Yea when her Majesties name hath been spoken of and her self prayed for, he hath refused to stir Hat or Lip. My humble Motion therefore is, that we might use some caution or circumspective care to prevent this ensuing mischief.

Mr *Francis Bacon* said, the Gentleman that spake last coasted so for and against the Bill, that for my own part not well hearing him, I did not perfectly understand him. I confess the Bill as it is, is in few words, but yet ponderous and weighty. For the Prerogative Royal of the Prince, for my own part I ever allowed of it, and it is such as I hope shall never be discuss'd. The Queen as she is our Sovereign, hath both an enlarging and restraining Power. For by her Prerogative she may first set at liberty things restrained by Statute Law or otherwise; and secondly, by her Prerogative she may restrain things which be at liberty. For the first, she may grant *non obstante* contrary to the penal Laws, which truly according to my own Conscience (and so struck himself on the Breast) are as hateful to the Subject as Monopolies. For the second, if any man out of his own Wit, industry or endeavour finds out any thing beneficial for the Common-Wealth, or bring in any new Invention, which every Subject of this Kingdom may use; yet in regard of his pains and travel therein, her Majesty perhaps is pleased to grant him a Priviledge to use the same only by himself or his Deputies for a certain time. This is one kind of Monopoly. Sometimes there is a glut of things when

when they be in excessive quantity, as perhaps of Corn, and her Majesty gives Licence of transportation to one Man; this is another kind of Monopoly. Sometimes there is a scarcity or a small quantity, and the like is granted also. These and divers of this nature have been in Tryal both at the Common-Pleas upon Actions of Trespas, where if the Judges do find the Priviledge good, and beneficial to the Common-Wealth, they then will allow it; otherwise disallow it: And also I know that her Majesty her self hath given Commandment to her Attorney General to bring divers of them since the last Parliament to Tryal in the Exchequer, since which time at least fifteen or sixteen to my knowledge have been repealed, some by her Majesties own expresse Commandment upon Complaint made unto her by Petition, and some by *Quo Warranto* in the Exchequer. But Mr Speaker, said he (pointing to the Bill) this is no Stranger in this place, but a Stranger in this Vestment; the use hath been ever to humble our selves unto her Majesty, and by Petition desire to have our grievances remedied, especially when the remedy toucheth her so nigh in point of Prerogative. All cannot be done at once, neither was it possible since the last Parliament to repeal all. If her Majesty make a Patent (or (as we term it) a Monopoly) unto any of her Servants, that must go, and we cry out of it; but if she grant it to a number of Burgeses or a Corporation, that must stand, and that forsooth is no Monopoly. I say and I say again, that we ought not to deal, to judge or meddle with her Majesties Prerogative. I wish every man therefore to be careful in this business; And humbly pray this House to testify with me, that I have discharged my duty in respect of my place in speaking on her Majesties behalf; And protest I have delivered my Conscience in saying that which I have said.

Dr Bennet said, He that will go about to debate her Majesties Prerogative Royal, had need walk warily. In respect of a grievance out of the City for which I come, I think my self bound to speak that now which I had not intended to speak before; I mean a Monopoly of Salt. It is an old Proverb *Sal sapit omnia*; Fire and Water are not more necessary. But for other Monopolies of Cards, (at which word Sir *Walter Raleigh* blusht) Dice, Starch and the like, they are (because Monopolies) I must confesse very hurtful, though not all alike hurtful. I know there is a great difference in them; And I think if the abuses in this Monopoly of Salt were particularized, this would walk in the fore rank. Now seeing we are come to the means of redress, let us see that it be so mannerly and handsomely handled, that after a Commitment it may have good passage.

Mr *Lawrence Hide*, I confesse, Mr Speaker, that I owe duty to God, and Loyalty to my Prince. And for the Bill it self I made it, and I think I understand it; And far be it from this heart of mine to think, this tongue to speak, or this hand

to write any thing, either in prejudice or derogation of her Majesties Prerogative Royal and the State. But because you shall know that this course is no new Invention, but long since digested in the Age of our Fore-fathers above three hundred Years ago, I will offer to your considerations one Precedent 10 Ed. 3. At what time one *John Peach* was Arraigned at this Bar in Parliament, for that he had obtained of the King a Monopoly for Sweet Wines. The Patent after great advice and dispute adjudged void, and before his face in open Parliament Cancelled, because he had exacted three shillings and four pence for every Tun of Wine; himself adjudged to Prison until he had made restitution of all that ever he had recovered, and not to be delivered till after a Fine of five hundred pounds paid to the King. This is a Precedent worthy of observation, but I dare not presume to say worthy the following. And Mr Speaker, as I think it is no derogation to the Omnipotence of God to say he can do all but evil; So I think it is no derogation to the Majesty or Person of the Queen to say the like in some proportion. Yet Mr Speaker, because two Eyes may see more than one, I humbly pray that there might be a Commitment had of this Bill, lest something may be therein which may prove the bane and overthrow thereof at the time of the passing.

Mr Speaker, quoth Serjeant *Harris*, for ought I see, the House moveth to have this Bill in the nature of a Petition; It must then begin with more humiliation: And truly Sir, the Bill is good of it self, but the penning of it is somewhat out of course.

Mr *Mountague* said, The matter is good and honest, and I like this manner of proceeding by Bill well enough in this matter. The grievances are great, and I would note only unto you thus much, that the last Parliament we proceeded by way of Petition which had no successful effect.

Mr *Francis Moore* said, Mr Speaker, I know the Queens Prerogative is a thing curious to be dealt withal, yet all grievances are not comparable. I cannot utter with my tongue or conceive with my heart the great grievances that the Town and Country for which I serve, suffereth by some of these Monopolies; It bringeth the general profit into a private hand, and the end of all is Beggery and Bondage to the Subjects. We have a Law for the true and faithful currying of Leather; There is a Patent sets all at liberty, notwithstanding that Statute. And to what purpose is it to do any thing by Act of Parliament, when the Queen will undo the same by her Prerogative? Out of the spirit of humiliation, Mr Speaker, I do speak it, there is no Act of hers that hath been or is more derogatory to her own Majesty, more odious to the Subject, more dangerous to the Common-Wealth than the granting of these Monopolies.

Mr *Martin* said, I do Speak for a Town that grieves and pines, for a Countrey that groaneth and

and languisheth under the burthen of monstrous and unconscionable Substitutes to the Monopolitans of Starch, Tinn, Fish, Cloth, Oyl, Vinegar, Salt, and I know not what, nay what not? The principallest commodities both of my Town and Country are ingrossed into the hand of those blood-suckers of the Common-Wealth. If a body, Mr Speaker, being let blood, be left still languishing without any remedy, how can the good estate of that body long remain? Such is the State of my Town and Country, the Traffick is taken away, the inward and private Commodities are taken away, and dare not be used without the Licence of these Monopolitans. If these blood-suckers be still let alone to suck up the best and principallest commodities which the earth there hath given us, what shall become of us, from whom the fruits of our own Soil and the commodities of our own labour, which with the sweat of our brows even up to the knees in Mire and Dirt, we have laboured for, shall be taken by Warrant of Supream Authority, which the poor Subjects dare not gainsay?

Mr George Moore said, I make no question but that this Bill offereth good matter; And I do wish that the matter may in some sort be prosecuted, and the Bill rejected. Many grievances have been laid open touching the Monopolies of Salt; but if we add thereunto peter, then we had hit the grief aright; with which my Country is perplexed. There be three persons her Majesty, the Patentee and the Subject; her Majesty the head, the Patentee the hand, and the Subject the foot. Now here's our Case, the head gives power to the hands, the hand oppresseth the foot, the foot riseth against the head. We know the power of her Majesty cannot be restrained by any Act, why therefore should we thus talk? Admit we should make this Statute with a *Non obstante*, yet the Queen may grant a Patent with a *Non obstante*, to cross this *Non obstante*. I think therefore it agreeth more with the gravity and wisdom of this House to proceed with all humbleness by Petition than Bill.

Mr Wingfield said, I would but put the House in mind of the proceeding we had in this matter the last Parliament, in the end whereof our Speaker moved her Majesty by way of Petition, that the griefs touching these Monopolies might be respected, and the grievances coming of them might be redressed. Her Majesty answered by the Lord Keeper, that she would take care of these Monopolies and our griefs should be redressed; if not, she would give us free liberty to proceed in making a Law the next Parliament. The grief, Mr Speaker, is still bleeding, and we green under the sore, and are still without remedy. It was my hap the last Parliament to encounter with the word *Prerogative*; but as then, so now I do it with all humility, and wish all happiness both unto it and to her Majesty. I am indifferent touching our proceeding either by Bill or Petition, so that therein our grievances may follow, whereby her Ma-

jesty may specially understand them.

Sir Walter Raleigh said, I am urged to speak in two respects; the one because I find my self touched in particular; the other, in that I take some imputation of slander to be offered unto her Majesty, I mean by the Gentleman that first mentioned Tinn (which was Mr Martin) for that being one of the principal commodities of this Kingdom, and being in Cornwall, it hath ever, so long as there were any, belonged to the Dukes of Cornwall, and they had special Patents of Priviledge. It pleased her Majesty freely to bestow upon me that priviledge; And that Patent being word for word, the very same the Duke's is, and because by reason of mine Office of Lord Warden of the Stannary, I can sufficiently inform this House of the State thereof; I will make bold to deliver it unto you. When the Tinn is taken out of the Mine, and melted and refined, then is every piece containing one hundred weight sealed with the Duke's Seal. Now I will tell you, that before the granting of my Patent, whether Tinn were but of seventeen shillings and so upward to fifty shillings a hundred, yet the Poor Workmen never had above two shillings the week, finding themselves: But since my Patent, whosoever will work, may; and buy Tinn at what price soever, they have four shillings a week truly paid. There is no Poor that will work there, but may, and have that wages. Notwithstanding, if all others may be repealed, I will give my consent as freely to the cancelling of this, as any Member of this House.

Sir Francis Hastings said, It is a special honour to this Assembly to give freedom of speech to all; And howsoever some have been heretofore troubled, yet I joy to see so great reformation, that we may speak quietly and be heard peaceably. Every man hath not like sence or judgment, neither is every mans memory alike: I wish that if any Gentleman that speaks of this or any other subject as injurious, shall let fall any word amiss or displeasing, that it may be attributed rather to hastiness than want of duty. This Speech proceeded in respect of Sir Walter Raleighs Speech, as also of the great silence after it.

Mr Snigg wisht a Committee to devise a course.

Sir Robert Wroth wisht a Committee, in which a course might be devised how her Majesty might know our griefs.

Mr Downland said, As I would be no lett or over vehement in any thing, so I am not sottish or senseless of the common grievance of the Common-Wealth. If we proceed by way of Petition, we can have no more gracious Answer than we had the last Parliament to our Petitions. But since that Parliament we have no reformation; And the reason why I think no reformation hath been had, is, because I never heard the cry against Monopolies greater and more vehement.

Mr Johnson said, Mr Speaker, I'll be very short

short and say only thus much, I would we were all so happy, that her gracious self had heard but the fifth part of that, that every one of us hath heard this day; I think verily in my Soul and Conscience we should not be more desirous in having those Monopolies called in, than she would be earnest therein her self.

The Bill aforesaid for Explanation of the Common Law touching Letters Patents was after the foregoing several long Arguments Ordered upon the question to be committed unto all the Privy Council and Learned Council of this House, Sir *Walter Raleigh*, Sir *Francis Hastings*, Sir *Edward Stafford*, Sir *Edward Hobbie*, Sir *George Moore*, Sir *Robert Wroth* and others; And the Bill and Committees names were delivered to Sir *Francis Hastings*, who with the rest was appointed to meet to Morrow in this House at two of the Clock in the Afternoon.

On *Saturday* the 21th day of *November*, Six Bills had each of them one reading; of which the first being the Bill for levying of Fines with Proclamations of Lands within the County of the City of *Chester*, and the second to reform the abuse of Tainters, had each of them their first reading.

Mr *Francis Moore* made Report of the meeting of the Committees of the Bill touching Sir *Edward Seymour*, (who were appointed on *Tuesday* the 17th day of this instant *November* foregoing) shewed the Amendments in the same, and brought in the Bill.

Thus far out of the Original Journal-Book of the House of Commons: Now follows one passage of this day touching the Privilege of the House out of the often before-cited private Journal of the said House.

Sir *Edward Hobbie* said, A Gentleman a good Member of this House, (Sir *John Gray*) was served with a *Subpœna* in the Chancery *ad respondendum* the 30th of *November* *ad sectam Roberti Atkins*; if no Order be taken herein, for my own part I think both the House and the Privileges thereof will grow in contempt. I wish the Serjeant may be sent for and the Party, and that some exemplary punishment may be shewed.

Mr *Doyley* said, Mr Speaker, we spend much time which is precious, in disputing of Privileges and other matters of small importance; for my own part I think fit no time should be spent herein, but that a Writ of Privilege may be granted.

Mr *Johnson* said, Mr Speaker, our own lenity is the cause of this contempt, and till some special punishment be shewed, I think it will not be otherwise.

Thus far out of the aforesaid private Journal: Now follows the residue of the Passages of this Forenoon out of the Original Journal-Book it self.

The Bill against Tainting of Woollen Cloths was read the second time and committed unto the former Committees in the Bill for Cloths and

Clothworkers, and Ordered that Merchants and Drapers do attend the Committees and be heard therein as appertains; And Sir *Edward Stafford*, Mr *Fulk Grevill* and Mr *Barkley* were added to the former Committees.

The Amendments in the Bill touching Sir *Edward Seymour* Knight Deceased, and *Edward Seymour* Esq; were twice read and Ordered with the Bill to be ingrossed.

The Bill for the making of an Haven or Key on the North part of *Severn* was read the second time, and committed unto the Knights and Burgeses for the Counties of *Devon*, *Cornwall*, *Somerset* and *South-Wales*, all the Queens Learned Council, the Barons of the Cinque Ports and others, who were appointed to meet upon *Wednesday* next in the Exchequer Chamber at two of the Clock in the Afternoon.

The Bill for the Assurance of the Jointure of *Lucie Countess of Bedford* was read the second time, and committed unto all the Queens Learned Council being Members of this House, Sir *Francis Hastings*, Sir *Edward Hobbie* and others, who were appointed to meet on *Wednesday* next in the *Middle-Temple* Hall at two of the Clock in the Afternoon.

The Bill for the better observation of certain Orders in the Exchequer set down and established by vertue of her Majesties Privy Seal, was read the second time, and committed unto the former Committees in the first Bill, and unto all the Privy Council and Learned Council of her Majesty being Members of this House, Masters Attornies of the Dutchy and Court of Wards, Mr *Francis Bacon*, Mr *Francis Moore*, Mr *Serjeant Harris* and others, who were appointed to meet upon *Monday* next in the House at two of the Clock in the Afternoon, after a question first had, whether it should be sitted upon in Committee this Afternoon; and was upon the division of the House upon the difference of forty six persons, (*viz.* with the Yea for this day ninety five, and with the No for *Monday* a hundred sixty one) Ordered to be sitted in Committee on *Monday* next as aforesaid.

Thus far out of the Original Journal-Book of the House of Commons; the residue which fell out in the Afternoon at the Committee for Monopolies or Patents of Privilege, whose names see before on Yesterday foregoing, is supplied out of the private Journal.

Sir *Edward Hobbie* informed the House of the great abuse of the Patentee for Salt in his Country, That betwixt *Michaelmas* and *S^t Andrews* Tide, where Salt (before the Patent) was wont to be sold for sixteen pence a Bushel, it is now sold for fourteen or fifteen shillings a Bushel; But after the Lord President had understanding thereof, he committed the Patentee, and caused it to be sold for sixteen pence as before. This Patent was granted to Sir *Thomas Wilkes*, and after to one *Smith*. To *Lyme* there is brought every Year above three thousand Wey of Salt, and every Wey of Salt is since the Patent en-

haunced

haunced to twenty shillings, and where the Buttel was wont to be eight pence, it is now sixteen pence. And I dare boldly say it, if this Patent were called in, there might well three thousand pound a year be saved in the Ports of *Lyme, Boston and Hull*. I speak of white Salt.

Mr *Francis Bacon* said, The Bill is very injurious and ridiculous; injurious, in that it taketh or rather sweepeth away her Majesties Prerogative; and ridiculous, in that there is a Proviso, that this Statute shall not extend to Grants made to Corporations: that is a Gull to sweeten the Bill withal, it is only to make Fools fain. All men of the Law know, that a Bill which is only expository, to expound the Common Law, doth enact nothing; neither is any promise of good therein. And therefore the Proviso in the Statute of 34 *Hen. 8.* of Wills, (which is but a Statute expository of the Statute of 32 *Hen. 8.* of Wills) touching Sir *John Gainsfords* Will, was adjudged void. Therefore I think the Bill very unfit, and our Proceedings to be by Petition.

Mr *Sollicitor Flemming* said, I will briefly give account of all things touching these Monopolies. Her Majesty in her Provident Care gave Charge unto Mr *Attorney* and my Self, that speedy and special Order may be taken for these Patents; this was in the beginning of *Hillary* Term last: but you all know the danger of that time, and what great affairs of importance happened to prevent these busineses; and since that time nothing could be done for want of leisure.

Sir *Robert Wroth* said, I would but note, Mr *Sollicitor*, that you were charged to take Order in *Hillary* Term last; why not before? there was time enough ever since the last Parliament. I speak it and I speak it boldly, these Patentees are worse than ever they were: And I have heard a Gentleman affirm in this House, that there is a Clause of Revocation in these Patents; if so, what needed this stir of *Scire facias, Quo Warranto* and I know not what, when it is but only to send for the Patentees, and cause a redelivery? There have been divers Patents granted since the last Parliament; these are now in being, *viz.* The Patents for Currants, Iron, Powder, Cards, Ox-shin Bones, Train Oyl, Transportation of Leather, Lifts of Cloth, Ashes, Anniseeds, Vinegar, Sea-Coals, Steel, *Aquavite*, Brushes, Pots, Salt-Peter, Lead, Accidences, Oyl, Calamint Stone, Oyl of Blubber, Fumathoes or dried Piltchers in the Smoak and divers others.

Upon the reading of the Patents aforesaid Mr *Hackwell* of *Lincolns-Inn* stood up and asked thus; Is not Bread there? Bread quoth one, Bread quoth another; this Voice seems strange quoth another; this Voice seems strange quoth a third: No quoth Mr *Hackwell*, if Order be not taken for these, Bread will be there before the next Parliament.

Mr *Heyward Townesend* of *Lincoln's-Inn* said; I seeing the disagreement of the Committee, and that they would agree upon nothing, made a

Motion to this effect; first to put them in mind of a Petition made the last Parliament, which though it took no effect, yet we should much wrong her Majesty and forget our selves, if we should think to speed no better now in the like Case; because then there was a Commitment for this purpose, and the Committees drew a Speech which was delivered by the Speaker word for word at the end of the Parliament, but now we might help that by sending our Speaker presently after such a Committee and Speech made, with humble Suit not only to repeal all Monopolies grievous to the Subject, but also that it would please her Majesty to give us leave to make an Act that they might be of no more force, validity or effect than they are at the Common Law without the strength of her Prerogative. Which though we might now do, and the Act being so reasonable we might assure our selves her Majesty would not delay the passing thereof, yet we her loving Subjects, &c. would not offer without her privy or consent (the Cause so nearly touching her Prerogative) or go about to do any such Act. And also that at the Committee which should make this Speech, every Member of this House which either found himself, his Town or Country grieved, might put in (in fair writing) such Exceptions against Monopolies, as he would justifie to be true; And that the Speaker might deliver them with his own hands, because many obstacles and hindrances might happen.

Mr *Francis Bacon* after a long Speech concluded thus in the end. Why, you have the readiest course that possibly can be devised, I would wish no further Order be taken, but to prefer the wise and discreet Speech made by the Young Gentleman (even the Youngest in this Assembly) that last spake. I will tell you, that even *ex ore Infantium & lactantium*, the true and most certain course is propounded unto us. So the House as it should seem agreed thereunto, and appointed to meet on *Monday* next *post Meridiem*, at which time all the aforesaid matters pass.

On *Monday* the 23th day of *November*, Three Bills had each of them one reading; of which the first being the Bill for Confirmation of the Grant of the Hospitals of *Christ, Bridewell* and *S^t Thomas* the Apostle was read the second time, and committed to the former Committees (who were appointed on *Tuesday* the 17th day of this instant *November* foregoing) and Sir *George Moore*, Mr *Paule*, Mr *Edward Moore* and Mr *Barnham* were added to the former Committees, who were appointed to meet upon *Wednesday* next in the Exchequer Chamber at two of the Clock in the Afternoon.

Mr *Synnell* one of the Committees in the Bill touching Mr *Markham*, shewed the mind of the Committees to be, and also delivered sundry reasons, that it is a Bill fit to rest and not to be any further dealt in by this House.

The Bill that Sir *Anthony Mayney* Knight, and *Anthony Mayney* his Son may be enabled to dispose of his Lands, &c. was upon the second reading

ing committed unto Sir Robert Wroth, Sir Edward Hobbie, Sir George Moore, Sir William Wray, Sir Moyle Finch, Sir Michaell Sandes and others, who were appointed to meet to Morrow in the Afternoon in the Middle-Temple Hall at two of the Clock.

The Bill to reform the abuse of Taintering Cloth was read the second time, and upon the question Ordered not to be committed, and upon another question rejected.

The Bill of Monopolies was read, to which Mr Spicer spake and said, Mr Speaker, I think it were good this Bill were committed; I am no Apostate, but I stick to the former faith and opinion that I was of, that by way of Petition will be our safest course; for it is to no purpose to offer to tie her hands by Act of Parliament, when she may loosen her self at her pleasure. I think it were a Course *nec gratum, nec tutum*. And therefore the best way is to have a Committee to consider what course shall be proceeded in; for I doubt not but we be all agreed of the reformation, though not of the manner.

Mr Davies said, God hath given that power to absolute Princes which he attributeth to himself, *Dixi quod Dii estis*. And as Attributes unto them he hath given Majesty, Justice and Mercy; Majesty, in respect of the Honour that the Subject sheweth to his Prince; Justice, in respect he can do no wrong, therefore the Law is 1 Hen. 7. that the King cannot commit a disseizin; Mercy, in respect he giveth leave to Subjects to right themselves by Law: And therefore in 43 Affis. an Indictment was brought against Bakers and Brewers, for that by colour of Licence they had broken the Assize; wherefore according to that Precedent I think it most fit to proceed by Bill not by Petition.

Mr Secretary Cecill said, If there had not been some mistaking or some confusion in the Committee, I would not now have spoken. The question was of the most convenient way to reform these grievances of Monopoly: But after disputation, of the labour we have not received the expected fruit. If every man shall take leave to speak for the common Subject, I am afraid in these vast powers of our mind, we shall dispute the project and reformation quite out of doors. This dispute draws two great things in question; First the Princes power; Secondly the freedom of Englishmen. I am born an Englishman and am a Fellow-Member of this House; I would desire to live no day, in which I should detract from either. I am servant unto the Queen, and before I would speak or give consent to a Case that should debase her Prerogative or abridge it, I would wish my tongue cut out of my head. I am sure there were Law-makers before there were Laws. One Gentleman went about to possess us, with the Execution of the Law in an Antient Record of 5^o or 7^o Edwardi 3. Likely enough to be true in that time, when the King was afraid of the Subject. Though this Precedent be a substance, yet it is not the whole

substance of the Parliament. For in former times, all sate together as well King as Subject, and then it was no prejudice to his Prerogative to have such a Monopoly examined. If you stand upon Law and dispute of the Prerogative, heark ye what *Bracton* saith, *Prærogativam Nostram nemo audeat disputare*. And for my own part I like not these courses should be taken. And you Mr Speaker, should perform the charge her Majesty gave unto you in the beginning of this Parliament, not to receive Bills of this nature; for her Majesties ears be open to all grievances, and her hand stretcht out to every mans Petitions. For the matter of access I like it well, so it be first moved and the way prepared. I had rather all the Patents were destroyed than her Majesty should lose the hearts of so many Subjects as is pretended. I will tell you what I think of these Monopolies: I take them to be of three natures, some of a free nature and good, some void of themselves, some both good and void. For the first, when the Prince dispenses with a penal Law that is left to the alteration of Sovereignty, I think it powerful and irrevocable. For the second, as to grant that which taketh from the Subject his Birthright, such men as desire these kind of Patents, I account them misdoers and wilful and wicked offenders. Of the third sort is the Licence for the matter of Cards, &c. And therefore I think it were fit to have a new Commitment to consider what her Majesty may grant, what not; what course we shall take, and upon what points.

Mr Doctor Stanhop and Dr Hone were sent from the Lords with a Bill intituled, An Act for the Uniting of Eye and Dunsden to the Mannor of Sunning.

Mr Mountague said, I am loth to speak what I know, lest perhaps I should displease. The Prerogative Royal is that which is now in question, and which the Laws of the Land have ever allowed and maintained. Then my motion shall be but this, That we may be Suitors unto her Majesty, that the Patentees shall have no other remedies than by the Laws of the Realm they may have, and that our Act may be accordingly.

Mr Martin said, I think the Common grievance and the Queens Prerogative have inspired this Gentleman that last spake (whom for reverence sake I must needs name, Mr Mountague) to make that motion which he hath done. And because the House seems greatly to applaud it, may it please you Mr Speaker, to put it to the question, whether that shall be determined of at the Committee. Now the Committees were, all the Privy Council being Members of this House, and the Queens Learned Council Members likewise of this House, all the Knights of the Shires, Sir George Moore, Mr Dr Bennet, Mr Hide, Mr Winch, Sir Charles Cavendish, Sir Percival Hart, Mr Thinn, Mr. Downhalt, Mr. Martin and divers others, together with the Knights and Citizens for London, the Barons of the Ports, Mr Lieutenant of the Tower and Mr Doctor Caesar, who were appointed

ted to meet this Afternoon in this House at two of the Clock, to have Conference and to agree upon some course to be taken touching Patents of Priviledges, and to report unto this House of their resolutions therein accordingly.

The Bill against Pluralities of Benefices had its first reading.

All the Bills committed touching Cloths are appointed to be dealt in to Morrow in the Afternoon in the *Middle-Temple* Hall.

M^r Moore brought in a Bill drawn by the Committees in the Bill for the repealing and continuance of the Statutes (whose names see on *Thursday* the 5th day of this instant *November* foregoing.

Thus far of this dayes Passages out of the Original Journal-Book of the House of Commons.

Post Meridiem.

The Committees for the great business of Monopolies and Patents of Priviledge being met, there was shewed amongst them a Note or Catalogue of divers of them, and to whom they were granted, which was as followeth, only altered in some places for Order sake.

To Sir *Henry Nevill* the Patent for Ordinance.

To Sir *Jerom Bowes* the Patent for Glasses.

To *Simon Furner* the Patent for Lifts, Shreds and Horns to be transported.

To Sir *Henry Noell* the Patent for Stone Pots and Bottles.

To *Brian Anusley* the Patent for Steel.

To *Eliz. Matthews* the Patent for Oyl of Blubbers.

To *Richard Drake* a Patent for *Aqua composita* & *Aquavita*.

To *Michaell Stanhop* a Patent for Spanish Woolls.

To *Thomas Cornwallis* the Licence to keep unlawful Games.

To *William Carr* a Patent for Brewing of Beer to be transported.

To *John Spillman* a Patent to make Paper.

To *Edward Darcie* a Patent for Cards.

To Sir *John Packington* a Patent for Starch.

To Sir *Walter Raleigh* a Patent for Tin.

To *William Wade* Esq; the making of Sulphur, Brimston and Oyl.

To *James Chambers* a Licence for Tanning.

To *William Watkins* and *James Roberts* a Licence to Print Almanacks.

To *Richard Welfs* to Print the History of *Cornelius* and *Tacitus*.

To *John Norden* to Print *Speculum Britannie*.

To certain Merchants to Traffick.

To *William Allin* to sow six hundred Acres of ground with Oade.

To M^r *Heyle* to provide Steel beyond the Seas.

To M^r *Robert Alexander* for Anniseeds.

To *Edward Darcie* a Patent for Steel.

To *Valentine Harris* to sow six hundred Acres with Oade.

To Sir *Henry Singer* touching the Printing of School-Books.

To *Arthur Bassany* a Licence to transport six thousand Calf-Skins.

To *Thomas Morley* to Print Songs in three parts.

To Sir *John Packington* for Starch and Ashes.

To *Thomas Wight* and *Bonnam Norton* to Print Law-Books; and divers others of no great moment touching the transportation of Iron and Tin, the sowing of Hemp and Flax, the gashing of Hydes, the forfeiture of Grigg Mills, the making of Mathematical Instruments, the making of Saltpeter, the Printing of the Psalms of *David*, and touching Fishers, Pouldavies and certain Forfeitures.

These Monopolies were most of them shewed to the Committees by Secretary *Cecill*, and to have been granted since the sixteenth year of the Queens Majesties Reign; for in the seventeenth year of her Reign, he shewed that a Patent was first granted to *Robert Sharp* to make Spangles and Oes of Gold; And then in the eighteenth year of her Majesty a Patent was granted to Sir *Edward Dyer* to pardon, dispense and reserve all Forfeitures and abuses committed by Tanners contrary to the Statute. And that the greatest part of the before-mentioned Patents of Priviledge or Monopolies had been granted since. Whereupon after M^r *Davies* had moved to have these Monopolies proceeded against by Bill, and M^r *Martin* had moved to have them rather dealt in by Petition to her Majesty, and that the House had heard the particular relation of the said Monopolies, there was nothing done or concluded upon, but a meeting appointed on *Tuesday* in the Afternoon.

On *Tuesday* the 24th day of *November* the Bill touching Painter-Stainers and abuses in Painting was read the second time, and committed unto Sir *Robert Wroth*, Sir *George Moore*, M^r *Maynard*, M^r *Cope*, M^r *Doctor Parkins* and others, who were appointed to meet this Afternoon in the Exchequer Chamber at two of the Clock, and the Bill with the Committees names was delivered to M^r *Pindar* one of the same Committees.

The Bill touching the Garbling of Spices was read the second time, and committed to the last former Committees for Painters, and the Queens Learned Council were added unto them.

The Bill touching the Lordships of *Landoflowre* alias *Landovorowre* was read the second time, and committed unto the Knights and Burgeses for *Wales*, the Burgeses for *Hereford*, M^r *Owen*, M^r *Philipps* and others, who were appointed to meet to Morrow in the Temple-Church at two of the Clock in the Afternoon, and the Bill was delivered to M^r *Philipps*.

The Bill for reformation of abuses used in the Art or Mystery of Imbroidering was read the second

cond time and rejected, as was also the Bill for *Mollineux* after it had been read the second time and put to the question.

Sir *Francis Hastings* made Report of the meeting of the Committees in the Bill touching Ale-houses (who were appointed on *Thursday* the 5th day of this instant *November* foregoing) with some Amendments in the same.

The Amendments in the Bill touching Ale-houses were twice read, and the Bill Ordered to be ingrossed.

Sir *Edmund Morgan* a Member of this House being served with a *Subpœna* to appear in the Chancery this present day, and also Mr *Pemerton* another Member of this House likewise served with a *Subpœna* out of the Chancery at the Suit of Sir *Walter Raleigh* and Sir *Carew Raleigh*, prayeth the Priviledge, which by Order of this House was granted.

The Bill against blasphemous Swearing was read the second time and committed to the former Committees in the Bill touching Swearing (who were appointed on *Tuesday* the 10th day of this instant *November* foregoing) and to meet in this House in the Committee Chamber to Morrow Morning.

The Bill against double payment of Debts upon Shop-Books was read the first time.

The Bill for the making of Parks of the Impaled Grounds of Noblemen and Gentlemen was read the second time, and upon the question and division of the House dashed, with the Yea a hundred and eleven, and with the No a hundred fifty one.

Thus far of this dayes Passages out of the Original Journal-Book of the House of Commons.

Upon some loud Confusion in the House touching some private murmur of Monopolies,

Mr Secretary *Cecill* said, The Duty I owe and the Zeal to extinguish Monopolies makes me to speak now, and to satisfy their Opinions that think there shall be no redress of these Monopolies. Order is attended with these two Handmaids, Gravity and Zeal; but Zeal with Discretion. I have been (though unworthy) a Member of this House in six or seven Parliaments, yet never did I see the House in so great Confusion. I believe there never was in any Parliament a more tender point handled than the Liberty of the Subject, that when any is discussing this point, he should be cried and cought down. This is more fit for a Grammar-School than a Court of Parliament. I have been a Counsellor of State this twelve years, yet did I never know it subject to construction of levity and disorder. Much more ought we to be regardful in so great and grave an Assembly. Why, we have had Speeches upon Speeches, without either Order or Discretion. One would have had us proceed by Bill, and see if the Queen would have denied it: Another, that the Patents should be brought here before us and cancelled; and this were bravely done. Others would have us to

proceed by way of Petition, which Course doubtless is best; but for the first, and especially for the second, it is so ridiculous, that I think we should have as bad success as the Devil himself would have wished in so good a Cause. Why, if idle courses had been followed, we should have gone forsooth to the Queen with a Petition to have repealed a Patent of Monopoly of Tabaco Pipes (which Mr *Wingfields* note had) and I know not how many conceits: but I wish every man to rest satisfied till the Committees have brought in their resolutions according to your Commandments.

On *Wednesday* the 25th day of *November*, Three Bills of no great moment had each of them one reading; of which the last being the Bill for the levying of Fines in the County and City of *Chester* was read the second time, and committed unto all the Queens Learned Council being of this House, the Knights and Burgesses for the County and City of *Chester*, Sir *John Egerton* and others, who were appointed to meet upon *Friday* next in the *Inner-Temple* Hall at two of the Clock in the Afternoon.

Sir *Edward Hobbie* made Report of the Committees travel in the Bill touching Mr *Nevill*, and delivered in the Bill with some Amendments and a Proviso.

The Amendments and Proviso in the Bill for Mr. *Nevill* were twice read, and Ordered with the Bill to be ingrossed, and not to be read the third time, until her Majesties Pleasure be further known, to be signified unto this House by Mr. Solicitor, Mr. Speaker, or some other thereunto appointed.

The Amendments in the Bill touching trifling Suits were twice read, and with the Bill Ordered to be ingrossed.

The Bill to prevent double payment of Debt upon Shop-Books was read the second time and committed unto Sir *Walter Raleigh*, Mr. *Beeston*, Sir *Francis Hastings* and others; and the Bill was delivered to Mr. *Beeston*, who with the rest was appointed to meet in the *Inner-Temple* Hall at two of the Clock in the Afternoon upon *Friday* next.

The Committees for the Exchequer Bill (who were appointed on *Saturday* the 21th day of this instant *November* foregoing) brought in the Bill with some Amendments, and after some Speeches therein had, upon the question resolved, that it should be presently recommitted to be considered of in the Committee Chamber of this House, and thereunto are appointed Mr. *Mountague*, Mr. *Winch*, Sir *Robert Wroth*, Mr. *Jones*, Mr. *Martin*, Mr. *Tate*, Mr. *Johnson*, &c.

Mr. *Henry Mountague* brought in the Bill touching Process and Pleadings in the Court of Exchequer, with Report of the Amendments.

The Amendments in the Bill for Orders in the Court of Exchequer were twice read, and with the Bill Ordered to be ingrossed.

Mr. Speaker (after a silence, and every man
O o o o 2 mar-

marvelling why the Speaker stood up) spake to this effect.

It pleased her Majesty to command me to attend upon her Yesterday in the Afternoon, from whom I am to deliver unto you all, her Majesties most gracious Message sent by my unworthy Self. She yields you all hearty thanks for your care and special regard of those things that concern her State, Kingdom, and consequently our Selves, whose good she had always tendred as her own; for our speedy resolution in making of so hasty and free a Subsidy, which commonly succeeded and never went before our Councils; and for our Loyalty: I do assure you with such and so great Zeal and Affection she uttered and shewed the same, that to express it, our tongues are not able, neither our hearts to conceive it. It pleased her Majesty to say unto me, that if she had an hundred tongues she could not express our hearty good Wills. And further she said, that as she had ever held our good most dear, so the last day of our (or her) Life should witness it; And that the least of her Subjects was not grieved, and she not touched. She appealed to the Throne of Almighty God, how careful she hath been and will be to defend her People from all Oppressions. She said, that partly by intimation of her Council, and partly by divers Petitions that have been delivered unto her both going to the Chapel and also to walk abroad, she understood that divers Patents, which she had granted, were grievous to her Subjects; and that the Substitutes of the Patentees had used great Oppressions. But she said, she never assented to grant any thing which was *Malum in se*. And if in the abuse of her Grant there be any thing evil (which she took knowledge there was) she herself would take present Order of reformation. I cannot express unto you the Apparent Indignation of her Majesty towards these abuses. She said that her Kingly Prerogative (for so she termed it) was tender; and therefore desireth us not to fear or doubt of her careful reformation; for she said, that her Commandment was given a little before the late troubles (meaning the Earl of *Essex's* matters) but had an unfortunate Event: but that in the midst of her most great and weighty occasions, she thought upon them. And that this should not suffice, but that further Order should be taken presently and not *in futuro* (for that also was another word which I take it her Majesty used) and that some should be presently repealed, some suspended, and none put in Execution, but such as should first have a Tryal according to the Law for the good of the People. Against the abuses her wrath was so incensed, that she said, that she neither could nor would suffer such to escape with impunity. So to my unspeakable comfort she hath made me the Messenger of this her gracious Thankfulness and Care. Now we see that the Axe of her Princely Justice is laid to the Root of the Tree; and so we see her gracious goodness hath prevented our Counsels and Consultations. God

make us thankful, and send her long to Reign amongst us. If through weakness of memory, want of utterance or frailty of my Self, I have omitted any thing of her Majesties Commands, I do most humbly crave Pardon for the same: And do beseech the Honourable Persons which assist this Chair and were present before her Majesty at the delivery hereof, to supply and help my imperfections; which joined with my fear have caused me (no doubt) to forget something which I should have delivered unto you.

After a little pause and silent talking one with another, Mr Secretary *Cecill* stood up and said, There needs no supply of the Memory of the Speaker: But because it pleased him to desire some that be about him to aid his delivery, and because the rest of my Fellows be silent, I will take upon me to deliver some thing which I both then heard, and since know. I was present with the rest of my Fellow Counsellors, and the Message was the same that hath been told you; and the cause hath not succeeded from any particular course thought upon, but from private Informations of some particular persons. I have been very Inquisitive of them and of the Cause, why more importunity was now used than afore, which I am afraid comes by being acquainted with some course of proceeding in this House. There are no Patents now of force, which shall not presently be revoked; for what Patent soever is granted, there shall be left to the overthrow of that Patent, a Liberty agreeable to the Law. There is no Patent if it be *Malum in se*, but the Queen was ill apprized in her Grant. But all to the generality be unacceptable. I take it, there is no Patent whereof the Execution hath not been injurious. Would that they had never been granted. I hope there shall never be more, (All the House said *Amen*.) In particular most of these Patents have been supported by Letters of Assistance from her Majesties Privy Council; but whosoever looks upon them shall find, that they carry no other stile, than with relation to the Patent. I dare assure you that from henceforth there shall be no more granted. They shall all be revoked. But to whom do they repair with these Letters? to some out-house, to some desolate Widow, to some simple Cottage, or poor ignorant People, who rather than they would be troubled and undo themselves by coming up hither, will give any thing in reason for these Caterpillars satisfaction. The notice of this is now publick, and you will perhaps judge this to be a Tale to serve the time. But I would have all men to know thus much, that it is no jesting with a Court of Parliament, neither dares any man (for my own part I dare not) so mock and abuse all the States of this Kingdom in a matter of this consequence and importance. I say therefore there shall be a Proclamation general throughout the Realm to notify her Majesties resolution in this behalf. And because you may eat your meat more favourly than you have done, every man shall have Salt as good cheap as he can either

ther buy it or make it, freely without danger of that Patent, which shall be presently revoked. The same benefit shall they have which have cold Stomachs, both for *Aquavita* and *Aqua composita* and the like. And they that have weak Stomachs, for their satisfaction, shall have Vinegar and Alegar, and the like set at liberty. Train Oyl shall go the same way; Oyl of Blubber shall march in equal rank; Brushes and Bottles endure the like Judgment. The Patent for Pouldavy, if it be not called in, it shall be Oade; which as I take it is not restrained either by Law or Statute, but only by Proclamation (I mean from the former Sowing) though for the saving thereof it might receive good disputation. Yet for your satisfaction, the Queens Pleasure is to revoke that Proclamation; only she prayeth thus much, that when she cometh on Progress to see you in your Countries; she be not driven out of your Towns by suffering it to infect the Air too near them. Those that desire to go sprucely in their Ruffs may at less charge than accustomed obtain their wish; for the Patent for Starch, which hath so much been prosecuted, shall now be repealed; There are other Patents which be considerable, as the Patent of New Drapery, which shall be suspended and left to the Law; Irish Yarn, a matter that I am sorry there is no cause of Complaint; for the Salvageness of the People and the War hath frustrated the hope of the Patentee, a Gentleman of good service and desert, a good Subject to her Majesty, and a good Member of the Common-Wealth, Mr *Carmarthen*. Notwithstanding it shall be suspended and left to the Law. The Patent for Calf-Skins and Fells, which was made with a relation, shall endure the censure of the Law. But I must tell you, there is no reason that all should be revoked, for the Queen means not to be swept out of her Prerogative. I say it shall be suspended, if the Law do not Warrant it. There is another Servant of her Majesties Mr *Onslow*, one of her Pensioners, an honest Gentleman and a faithful Servant, he hath the Patent for Steel, which one Mr *Beale* once had; this too because of Complaints shall be suspended. There is another that hath the Patent for Leather, Sir *Edward Dyer*, a Gentleman of good desert, honest, religious and wise; this was granted unto him thirty years ago. It crept not in by the new misgovernment of the time: Yet this shall also be suspended. The Patent for Cards shall be suspended and tryable by the Common Law. The Patent for Glasses, which though I do least apprehend to be prejudicial to the publick good, yet it is left to the Law. There is another Patent for Saltpeter, that hath been both accused and slandered; It digs in every mans House, it annoys the Inhabitant, and generally troubleth the Subject: For this I beseech you be contented. Yet I know I am to blame to desire it, it being condemned by you *in foro Conscientie*; but I assure you it shall be fully sifted and tryed *in foro judicii*. Her Majesty means to take this Patent unto her Self, and advise with her

Council touching the same. For I must tell you the Kingdom is not so well furnished with Powder now as it should be. But if it be thought fit upon advice to be cancelled; her Majesty commanded me to tell you, that though she be willing to help the grave Gentleman that hath that Patent, yet out of that abundant desire that she hath to give you compleat satisfaction, it shall be repealed. This hath come to the Ear of the Queen, and I have been most earnest to search for the Instrument, and as a Counsellor of State, have done my best endeavour to salve the sore; But I fear we are not secret within our selves. Then must I needs give you this for a future Caution, That whatsoever is subject to publick expectation cannot be good, while the Parliament matters are ordinary talk in the Street. I have heard my self, being in my Coach, these words spoken aloud, [*God prosper those that further the overthrow of these Monopolies, God send the Prerogative touch not our Liberty.*] I will not wrong any so much as to imagine he was of this Assembly; Yet let me give you this Note, That the time was never more apt to disorder and make ill interpretation of good meaning; I think those persons would be glad that all Sovereignty were converted into Popularity; We being here, are but the popular branch, and our liberty, the liberty of the Subject: And the World is apt to slander most especially the Ministers of Government.

Thus much have I spoken to accomplish my duty unto her Majesty, but not to make any further performance of the well uttered and gravely and truly delivered Speech of the Speaker. But I must crave your favours a little longer to make an Apology for my self. I have held the favour of this House as dear as my Life, and I have been told that I deserved to be taxed Yesterday of the House. I protest my Zeal to have the business go forward in a right and hopeful course; and my fear to displease her Majesty by a harsh and rash proceeding made me so much to lay aside my discretion, that I said it might rather be termed a School than a Council, or to that effect. But by this Speech if any think I called him School-Boy, he both wrongs me and mistakes me. Shall I tell you what *Demosthenes* said to the Clamours which the *Athenians* made, that they were *Pueriles & dignos pueris*. And yet that was to a popular State. And I wish that whatsoever is here spoken may be buried within these Walls. Let us take Example of the Jewish Synagogue, who would always *Sepelire Senatum cum honore*, and not blast their own Follies and Imperfections. If any man in this House speak wisely, we do him great wrong to interrupt him; if foolishly, let us hear him out, we shall have the more cause to tax him. And I do heartily pray that no Member of this House may *plus verbis offendere quam consilio juvare*.

Mr *Francis Moore* said, I must confess Mr Speaker, I moved the House both the last Parliament and this touching this point, but I never meant (and

(and I hope this House thinketh so) to set limits and bounds to the Prerogative Royal. But now seeing it hath pleased her Majesty of her self, out of the abundance of her Princely goodness, to set at liberty her Subjects from the thralldom of those Monopolies, from which there was no Town, City or Country free; I would be bold in one motion to offer two considerations to this House; The first, that M^r Speaker might go unto her Majesty to yield her most humble and hearty thanks and withal to shew the joy of her Subjects for their delivery, and their thankfulness unto her for the same; The other, that where divers Speeches have been made extravagantly in this House, which doubtless have been told her Majesty, and perhaps all ill conceived of by her, I would therefore that M^r Speaker not only should satisfy her Majesty by way of Apology therein, but also humbly crave pardon for the same.

Mr. Wingfield said, My heart is not able to conceive the joy which I feel, and I assure you my Tongue cannot utter the same. If a sentence of Everlasting happiness had been pronounced unto me, it could not have made me shew more outward joy than now I do, which I cannot refrain to express (and here as I think he wept) There could nothing have been more acceptable to the Subject than this Message. And I verily think, if ever any of her Majesties words be meritorious before God, this is. I do agree with all my heart in the first part of the Gentlemans motion that last spake; but do utterly dislike the latter: For it is not to be intended, we should have had so good and gracious a Message, if the truth of some particular Speeches had been delivered unto her. And now for us to accuse our selves by excusing a fault with which we are not charged, were a thing in my opinion inconvenient, and unfitting the wisdom of this House.

Mr. George Moore spake to the same effect.

Sir Francis Bacon spake to the same effect also, and in the end concluded thus, *Nescio quid peccati portet: hæc purgatio.*

So it was put to the question and concluded, That thanks should be returned by the Speaker, and some twelve were named to go with him as a convenient number, and intreaty made to the Privy Council to obtain liberty to be admitted.

On Thursday the 26th day of November the Bill for the Amendment of the Highway called *Double sole Green* in the County of *Middlesex* was read the first time.

Mr. Fretchvill offered to the consideration of the House a Bill to reform the abuses in weights and measures, and declared the necessity of reformation therein, and prayeth the reading.

Two Bills of no great moment had each of them one reading; of which the second being the Bill touching Feltmakers was read the second time and committed unto the Knights and Citizens for *London*, Sir George Moore, the Knights

for *Middlesex* and *Surrey*, Mr. Wiseman and others, who were appointed to meet upon Saturday next in the *Middle-Temple Hall* at two of the Clock in the Afternoon.

Two Bills had each of them one reading; of which the second being the Bill for the better furnishing of her Majesties Navy Royal touching Cordage, was upon the first reading rejected.

Mr. Doctor Parkins made Report of the meeting of the Committees in the Bill for the benefit of Merchants, and advancement of her Majesties Custom; And that the Committees do think it a Bill in their opinions not to be any more dealt in by this House for many reasons by him delivered.

The Bill for the grant of four entire Subsidies and eight Fifteenths and Tenths granted by the Temporality was read the first time. (*Vide* concerning this Bill on Saturday the 5th day of December next following.)

Mr. Jones one of the Committees in the Bill for *Landoveroure* (who were appointed on Tuesday the 24th of this instant November foregoing) certifieth in the Bill with some Amendments therein by the Committees.

M^r Secretary Cecill said, If I should tell you otherwise than truth in matter of so great consequence, I should need no other process than my own Conscience; That to so gracious a Message there was never returned more infinite thanks, we all are assured. From the Queen I have received a short Answer in these words, [*You can give me no more thanks for that which I have promised, than I can and will give you thanks for that which you have already performed*] meaning the Subsidies and Fifteenths. So inseparable are the qualities of the Prince and the Subject: Good for the one and for the other. If by true interpretation of the Law, *Voluntas reputatur pro facto*; you shall not need, your good will being already known, use any actual thanks; neither will she receive any, till by a more affected consummation she hath compleated that work: at that time she will be well pleased to receive your thanks and to return to you her best favours. (*Vide* concerning this matter on Saturday the 5th day of December following)

On Friday the 27th day of November four Bills had each of them one reading; of which the last being the Bill for the enlarging of the Statute of the first year of her Majesties Reign touching the breed of Fish, was read the first time and rejected.

Two Bills of like consequence had each of them one reading; of which the second being the Bill for the true payment of Tythes within the Walls of the City of *Norwich*, was read the second time and committed unto the Citizens for *Norwich*, Sir Francis Hastings, M^r Fretchvill, the Knights for *Norfolk*, M^r John Hare and others, who were appointed to meet in the Exchequer Chamber at two of the Clock in the Afternoon.

Sir Francis

Sir Francis Hastings offered a new Bill touching resorting to the Church on *Sunday*, and prayed the acceptance thereof and the reading.

The Bill for the more diligent resorting to the Church on *Sunday* had its first reading.

Thus far of the Passages of this day out of the Original Journal-Book of the House of Commons, the residue is out of the private Journal.

The Speaker stood up and wisht the House to advise what they would do with the Prisoners that served Sir Edmund Morgan and Mr Pemerton with *Subpœna's*, and shewed that they were ready at the Door to attend.

Mr Tate said, I will be bold to offer two Precedents to this House touching serving of *Subpœna's*; yet first let us enter into consideration of the force of the Priviledges we now have. It is manifest, and I think no man doubteth, but that heretofore the Houses of Parliament were both one without division; and that the United Body of the Parliament had the same Priviledges and Jurisdictions which we now have. And though there be Session or separation of the United Body, yet the Priviledges do remain still entire. For by most antient Records of this Realm it may plainly appear, that the same Priviledges serve both Houses. The first Precedent is in King Edward the first his dayes, when the Templers had certain Tenants of the Parliament House which were behind with their Rents, and they made humble Petition to the King, that they might either distrain their Bodies or Goods for the same. The King as it appeareth, Answered, *Non videtur honestum quòd aliquis de Magno Parlamento nostro distringatur*. So that it seems we are Priviledged from all kind of distresse whatsoever. The second is one *Pogo de Clare*, who did presume to serve a Citation upon Edmond Earl of Cornwall within Westminster-Hall as he was going to the Parliament House, for which he was sent to the Tower, and made to submit himself *de alto & basso*, and a Fine of twenty thousand Marks imposed upon him, which he truly paid. Besides, because Westminster-Hall was within the Precinct Liberties of the Abbot of Westminster he was Fined a thousand pound for that contempt: But by Mediation of the Bishop it was remitted to a hundred pound, which he also truly paid to the Abbot. And our use at this day is not warranted by antient course of Precedents; for if a man had been Arrested upon a *Subpœna*, upon notice given he should have had a Writ of Priviledge, which of course her Majesty must have allowed. Then he made a long Speech upon Trewinnard and Skewiff's Case 35 Hen. 8. Dyer fol. 55. Pl. 8. & 36 H. 8. 59. Pl. 17, &c. See the Book at large.

Mr Bretten shewed, that a Member of this House (Mr Philips the Lawyer) was served with a Privy-Seal out of the Court of Wards, by one Thomas Deane Servant to one Mrs Chamberlain a Widow; who when he delivered the Process, being told it would be taken in evil part by the House, said, he cared not; and that the House

would punish him for it and bring him on his Knees, he Answered, his Mistress would bear him out, and she made no doubt but she should find as good Friends there as he had. Whereupon the House willed that she and her Servant should be sent for by the Serjeant.

Mr Holcroft shewed the House that many Complaints were made, but none punished; many sent for, but none appeared. There was a matter Complained of by one Mr Morrice a Gentleman that had his Man Arrested at his Heels by the Sheriffs of Shrewsbury, and nothing was done therein.

Mr Morrice said, that after the House had given Order to the Serjeant to go, he came (said he) unto me to certifie him of the Parties and of the particulars. And what he hath since done therein I know not.

Mr Roger Owen said, May it please you Mr Speaker, my self being chosen for the Shire, think it my part to speak something, seeing the Burgesses for the Town neglect their duties in not speaking. True it is, that such Order was given from the House, but the Gentleman Mr Morrice and some others being willing to let me have the Examination of the matter, came before me, and upon Examination (a wise Examination no doubt, quoth Mr Secretary) I found that he was no menial Servant, but only a Servant that brought him part of the way, and was to go no further with him towards the Parliament. Whereupon I think the Serjeant having so much notice, stayed.

Mr Browne of Grayes-Inn said, Mr Speaker, it seemeth this matter is shuffled up, I humbly pray the Serjeant may be heard. And all the House cried I, I.

After three Congies made the Serjeant shewed, that he was with Mr Morrice, and that he offered him to send one of his men, but because he was in doubt of finding them, he desired some part of his Fees, or money for his charges or Horses, or else he would find Horses, or get one of his fellow Serjeants to go, because he could not well be spared from this Service; if not, he would for his more Expedition procure a Pursevant to go with a Warrant under Mr Speaker's hand, and some of the Honourable of the Council in this House for the more speedy Passage. All which courses Mr Morrice rejected. And I hope the House meant not I should go or send on my own Purse, or hazard the charge my self. And therefore I hope this will be sufficient for my discharge. And all the House cried I, I, I.

So no more was said of that matter, for the Speaker seemed to favour the cause, and therefore he presently stood up and asked if the House would have the Prisoners in, which served Sir Edmund Morgan and Mr Pemerton; and by this shift the former matter was shuffled up.

Christopher Kennell and William Mackerells were brought to the Bar, the one for serving Sir Edmund Morgan with a *Subpœna*, the other with

with serving Mr. *Pemerton* with the like Writ.

Christopher Kennell said, Mr Speaker, and the rest of this Honourable House, I am (though poor) a Gentleman born and known to many in this Assembly; This perhaps may be a cause to aggravate my offence. I hope there is no man that doth not know me, and I am sure there is no man which doth know me, but thinketh, I would not willfully commit such an offence as this is. I have been sometimes (though unworthy) a Member of this House, and I have seen and known the Justice of the House in the like Cases: But Mr Speaker, if there be either honesty or Christianity in me, by the same I do protest that I knew not Sir *Edmund Morgan* was of this House of Parliament, which I think he will avouch himself. And as soon as I heard it, I went to Sir *Edmund's* Chamber, where I found him, to reconcile my self and make an Atonement (for that was his word) with him. As I was doing this, Mr Serjeant came into the Chamber and there Arrested me; whose Arrest I most willingly obeyed, and do now acknowledge my self to have offended though not wittingly. May it please you, I have served her Majesty these eighteen Years in her Wars, and in all my Life I was never Trespasser in any offence of this or the like nature. I do therefore most humbly beseech you in your Wisdoms to have consideration of the nature and circumstances of mine offence, and most willingly I do submit my self to your Censures.

William Mackerells being a poor simple Fellow could say nothing for himself, but only that he knew not Mr *Pemerton* to be of the House, no not for his Life, if it, &c.

So the Serjeant was commanded to remove them forth.

Mr. *Johnson* said, Some we Pardon out of Discretion, some out of Commiseration, I think set all Parliaments together, they will not match this Parliament with numbers of this nature; only impunity, the Cause.

Sir *Edmund Morgan* said, The Gentleman (Mr. Speaker) is a Man of good desert, fort and carriage; and I think if he had known me to have been of this House, he would not have served me with the *Subpœna*. Truly he came to my Lodging and acknowledged his great fault, and prayed me to extenuate it. I protest I think he did not know I was of the House. And therefore I humbly pray that in regard of his person and good service done to her Majesty, his offence may be as freely remitted by the House as it is by me; And that it would please you all to reserve your Justice to matters of greater importance. Which Speech was marvellous well liked of by the House.

Mr *Pemerton* being asked what he could say, whether *William Mackerells* knew him; he Answered, I, and that his men had told him. He said he knew that the said *William* was a very Knave, and therefore he would not entreat the favour of the House, but let him have the Ju-

stice of the House. Which Speech was generally misliked as churlish.

Mr *Fleetwood* a Counsellor of *Graves-Inn* shewed unto the House that one *Holland* a Scrivener by *Temple-Bar*, and his Man had beaten his Servant; And he humbly prayed they might be sent for. And the question grew upon dispute whether this were punishable. And after upon a Precedent vouched by Mr *Roger Owen* of 8 *Hen. 4.* touching a Knight of the Parliament coming towards the Parliament. And so agreed they should be sent for. See the whole matter on *Saturday* next.

Mr *Kennell* and Mr *Mackerells* were brought to the Bar, and after their offences laid open by the Speaker, he said, it pleased the House to have so favourable consideration of their offences, that they should only have three dayes Imprisonment in the Custody of the Serjeant and pay him their Fees.

Mr *Downald* moved the House, first, that that gracious Message which had been sent from her Majesty might be written in the Books of Records of this House, (being worthy to be written in Gold) as well as it is written and fixed in the true heart of every good Subject; Secondly, That the Honourable Assembly of this House would move her Majesty and be earnest means of speed, lest that which is now meant indeed may by protraction of time be altered, or perhaps not so happily effected.

Mr Secretary *Cecill* said, I promised to be as silent as I could. Among much Speech of the wise, there wants not much folly, much more in me. I do not speak because I do dislike the Motion of the Gentleman that last spake, but to defend the diligence and grace of the Queen. It is no matter of Toy for a Prince to notify in publick a matter of this weight. Though the Idol of a Monopoly be a great Monster, yet after two or three days I doubt not but you shall see him dismember'd; And I protest there is not any Soul that lives deserves thanks in this Cause but our Sovereign. Yesterday the Queen gave Order for a Draught of a Proclamation, I had it in my hand. You all know, I went even now out of the House (that was in the middle of Mr *Tate's* Speech) then I read it, and sent for him that should deliver it to her hands. Now what needs this new Zeal?

Mr *Davies* said, Mr Speaker, I stood up before to speak, it is not much I had to say, only this, That which was delivered unto you from her sacred self, I think to be Gospel, that is, Glad Tidings; And as the Gospel is registred and written, so would I have that also; for if ever glad tidings came to the heart of the Subject, they now come. This is all Sir.

Sir *George Moore* said, This eating and fretting Disease of Monopolies I have ever detested with my heart, and the greater the grievance is, the more inestimable is the grave wisdom of her Majesty in repealing them. And therefore for us to think we can sufficiently requite the same, it

were

were to hold a Candle before the Sun to dim the Light. And seeing she in her Clemency and Care to us hath taken the matter in her own hands, I with the matter may be no more spoke of, much less proceeded in.

Sir *Francis Hastings* said, It ought to be written in the Tables of our hearts, &c.

Mr. *Lawrence Hide* said, I think the Gentleman that set this Motion on foot, spake out of Joy for her Majesties Grace and Zeal to have performance of her Promise. In that he wished it might be recorded in Paper here or Parchment, it is not to be intended, but he meant also in our hearts, which remain no longer than we live; But Records remain long, and will give a lively memory in Ages to come. And therefore for that part of his Motion I think it very good, and with the Clerk may do it accordingly.

Mr. Comptroller said, I think he that first moved this question, exceedingly forgot himself, and exceedingly detracted from her Majesty who I know out of her abundant love and grace to this House, hath taken such speedy course, as hath been delivered by my Fellow Counsellor. With that affection she embraceth this House, that in more familiar than Princely sort, it hath pleased her to say, Recommend me to the House with thanks for their promise and care for their common good.

Mr. Speaker said, My Heart is not able to conceive, nor my Tongue to utter the Joy I conceived of her Majesties Gracious and especial Care for our good, &c. Wherefore as God himself said, *Gloriam meam alteri non dabo*, so may her Majesty say, in that she herself will be the only and speedy Agent for performance of our most humble and most wished desires. Wherefore let us not doubt but as she hath been, so she still will be our most Gracious Sovereign and natural Nursing Mother unto us. Whole dayes the Almighty God prolong to all our Comforts. All said *Amen*.

On *Saturday* the 28th day of *November*, the Bill for the maintenance of Shipping and increase of Mariners was read the first time.

Sir *George Moore* one of the Committees in the Bill touching Fines to be levied in the County of the City of *Chester*, brought in the Bill amended by the Committees.

The Amendments in the Bill touching Fines to be levied in the County of the City of *Chester* were twice read, and the Bill was Ordered to be ingrossed.

The Bill touching draining of Grounds in the Isle of *Ely* and the Counties of *Cambridge*, *Huntington*, &c. was read the second time and committed unto the Queens Learned Council being of this House, the Knights and Burgeses for the Shires named in the Bill, my Lord *Clinton* and others, who were appointed to meet upon *Tuesday* next in the Court of Wards at two of the Clock in the Afternoon.

Mr. *Mountague* made Report of the meeting of

the Committees in the Bill touching the Jointure of the Countess of *Bedford* and Proviso thereunto, which he brought in with some Amendments.

The Amendments in the Bill for the Jointure of the Countess of *Bedford* and the Proviso thereunto annexed, were twice read, and with the Bill Ordered to be ingrossed.

Sir *William Wray* shewed the meeting of the Committees in the Bill touching Drunkenness with some Amendments.

The Amendments in the Bill touching Drunkenness were twice read, and with the Bill Ordered to be ingrossed.

Two Bills also had each of them one reading; of which the second being the Bill touching Lands given to Charitable uses, &c. was read the second time, and committed to the Committees for repeal of Statutes (whose names see on *Thursday* the 5th day of *November* foregoing) and there were added unto them the Queens Learned Council being Members of this House; the Masters of Requests, Sir *Edward Stafford*, Sir *Edward Hobbie* and divers others, and appointed to meet in the Exchequer Chamber upon *Tuesday* next at two of the Clock in the Afternoon. And the Committees to have Authority as well to put into the Bill of Repeal or in the Bill of continuance of Statutes the former Act made in the last Parliament touching Lands given to charitable uses, as to deal in this present Bill, if it shall so seem good unto them.

Mr Secretary declared, that according to the direction of this House, her Majesty hath been informed of the exceeding and inestimable joy and comfort which this House hath received by a Message lately published sent from her Highness by Mr Speaker; And hath been likewise moved to signify her Highnesses pleasure touching the determination of this House, in appointing Mr. Speaker with some selected Company of the same to render the most humble and dutiful thanks of this whole House, for the said most gracious, most princely and comfortable Message: And her gracious Answer was, That her Majesty being acquainted with the said desires of this House, did vouchsafe that Mr. Speaker with forty, fifty or a hundred of this House, such as should thereunto be appointed, should have access unto her Majesty for the same purpose upon *Monday* next in the Afternoon at the Court, and should be all welcome.

Whereupon were appointed the Knights for all the Shires, My Lord *Hayward*, my Lord *Clinton*, all Knights Members of this House, the Citizens and Knights for *London*, the Masters of Requests, Mr. *Bacon*, Mr. *Francis Lee*, Mr. *Dr. Parkins*, Mr. *Warcup*, Mr. *Dr. Bennet*, Mr. *Dr. James*, Mr. *Davies*, Mr. *Martin*, and Mr. *Simnel*.

Robert Holland Scrivener and *Lawrence Brook* his Servant were brought to the Bar, and being charged by Mr. Speaker with their offence against this House in offering an abuse unto a Member of the same in striking and ill intreating of Mr.

Fleetwood and his servant attending upon him in his presence; it was upon the hearing and debating of the matter Ordered upon the question, that the said *Robert Holland* and *Lawrence Brook* his servant should be committed Prisoners to the Serjeant of this House for the space of five days, and then to be discharged paying the Fees of the Serjeant and the Clerk.

The Bill that the Lord Marquess of *Winchester* may dispose of his Lands whereof he is Tenant in Tayle, as other Tenants in Tayle by the Laws and Statutes of the Realm may do, &c. was read the second time and committed unto all the Privy Council being Members of this House, all the Queen's Learned Council likewise; Sir *Robert Wroth*, Sir *Edward Moore*, Sir *Francis Hastings*, Sir *Walter Raleigh* and others; and the Bill and Committees names were delivered to Sir *Edward Moore*, who with the rest was appointed to meet upon *Wednesday* next at two of the Clock in the Afternoon in the Exchequer Chamber.

Christopher Hillyard Esquire returned into this present Parliament a Burgess for the Borough of *Heydon* in the County of *York*, for that he is visited with sickness and thereby unable to give his Attendance, is licensed by Mr Speaker to depart home.

Henry Hastings Esquire one of the Knights for the County of *Leicester* is licensed by Mr. Speaker for his necessary affairs to depart into his Country, after having left with the Serjeant ten shillings for the Poor.

On *Monday* the 30. day of *November*, Two Bills had each of them one reading; of which the second being the Bill for repairing and amending of Bridges near the City of *Carlisle* in the County of *Cumberland* was read the first time.

Mr *D^r Caesar* brought in the Bill touching the making of a Haven or Pier on the North part of *Severn*, &c. with some Amendments.

Two Bills also of no great moment had each of them one reading; of which the first being the Bill touching the Poulterers of *London*, was read the first time and rejected.

Mr *Dale*, one of the Committees in the Bill touching Feltmakers (who were appointed on *Thursday* the 26th day of this instant *November* foregoing) shewed the meeting of the Committees, and brought in the Bill with a Proviso annexed and some Amendments.

Thus far of the passages of this day out of the Original Journal-Book of the House of Commons: Now followeth a certain Message by Sir *William Knolls* her Majesties Comptroller, which he delivered in her Highnesses name unto the House, out of the private Journal.

Mr. Comptroller said, I am to certify you of her Highness's gladness and willingness to hear the acceptable News that was delivered unto her from this House, of our humble and earnest desire all to see her Majesty, and shew our thankfulness. She commanded me to tell you, That the reason of her limitation of having a conve-

nient number was, that the place whereunto we should come was not big enough to receive us all; but she saith that she is glad that there is such a Sympathy betwixt her and us; And she is well pleased that this Afternoon at three of the Clock we should attend her, and without restraint or limit we may all come and shall be very welcom.

Mr. *Barrington* made Report of the Travel of the Committees in the Bill against Blasphemous Swearing (who were appointed on *Tuesday* the 10th day of this instant *November* foregoing) and brought in the Bill with some Amendments.

The Bill for the grant of four entire Subsidies and eight Fifteenths and Tenths granted by the Temporality was read the second time and Ordered to be ingrossed. *Vide* concerning this Bill on *Saturday* the 5th day of *December* next following.

The Bill to avoid trifling and frivolous Suits in Law was read the third time and passed upon the question.

The Bill touching *Edward Nevill* of *Birling* in the County of *Kent*, and Sir *Henry Nevill* Knight his Son and Heir, was read the third time and passed upon the question.

The Proviso added to *Edward Nevill* his Bill was thrice read, and likewise passed upon the question.

Francis Fortescue Esquire, returned one of the Knights for the County of *Buckingham*, is for his necessary affairs licensed by Mr. Speaker to depart into his own Country.

The greatest part of this Forenoons Passage being thus transcribed out of the Original Book of the House of Commons; now follows a question only moved by the Speaker upon the rising of this House, as also his access unto her Majesty in the Afternoon with divers of the said House at *Whitehall*, touching Monopolies or Patents of Privilege, out of the said private Journal.

The Speaker asked the House, What it was their pleasures he should deliver unto her Majesty? and Sir *Edward Hobbie* stood up and said, it was best he should devise that himself, the whole House would refer it to him, and all said I, I, I.

In the Afternoon about three of the Clock, some seven score of the House met at the great Chamber before the Council Chamber in *Whitehall*.

At length the Queen came into the Council Chamber where sitting under the Cloth of State at the upper end, the Speaker with all the Company came in, and after three low reverences made he spake to this effect.

MOST Sacred and most gracious Sovereign We your Faithful, Loyal and obedient Subjects and Commons here present, vouchsafed of your especial goodness (to our unspeakable comfort) access to your sacred presence, do in all duty and humbleness come to present that which no words can express, most humble and thankful acknowledgement of your most gracious Message, and most bounden and humble thanks for your Majesties most abundant goodness extended and

and performed to us. We cannot say, Most Gracious Sovereign, We have called and been heard, we have complained and have been helped; though in all duty and thankfulness we acknowledge, your Sacred Ears are ever open, and ever bowed down to hear us, and your blessed Hands ever stretched out to relieve us; We acknowledge, (Sacred Sovereign) in all duty and thankfulness we acknowledge, that before we call, your preventing Grace and All-deserving Goodness doth watch over us for our good, more ready to give than we can desire, much less deserve. That Attribute which is most proper unto God, to perform all he promiseth, appertaineth also unto you our Most Gracious Sovereign Queen, of all Truth, of all Constancy, of all Goodness, never wearied in doing good unto us (the Deeds themselves do speak) most careful to provide all good things for us, most gracious, most tender to remove all grievances from us; which all your Princely Actions have ever shewed, and even now your most gracious published Proclamation of your own only meer Motion and special Grace for the good of all your People doth witness to us. We come not, Sacred Sovereign, one of ten to render thanks, and the rest to go away unthankful; but all of us, in all duty and thankfulness do throw down our selves at the Feet of your Majesty, do praise God and bless your Majesty. Neither do we present our thanks in words or any outward thing which can be no sufficient retribution for so great goodness; but in all duty and thankfulness, prostrate at your Feet, we present our most loyal and thankful hearts, even the last drop of Blood in our Hearts, and the last spirit of breath in our Nostrills to be poured out, to be breathed up for your safety.

And after three low Reverences made he with the rest kneeled down, and her Majesty began thus to answer her Self, *viz.*

MR Speaker, We have heard your Declaration and perceive your care of our State, by falling into the consideration of a grateful acknowledgment of such benefits as you have received; And that your coming is to present thanks unto us, which I accept with no less Joy than your Loves can have desire to offer such a Present. I do assure you, that there is no Prince that loveth his Subjects better, or whose Love can countervail our Love; There is no Jewel, be it of never so rich a prize, which I prefer before this Jewel, I mean your Love; for I do more esteem it than any Treasure or Riches: for that we know how to prize, but Love and Thanks I count inestimable. And though God hath raised me High, yet this I count the Glory of my Crown, that I have Reigned with your Loves. This makes me that I do not so much rejoice that God hath made me to be a Queen, as to be a Queen over so thankful a People. Therefore I have cause to wish nothing more than to content the Subject, and that is a duty which I owe.

Neither do I desire to live longer dayes, than that I may see your Prosperity, and that's my only desire. And as I am that Person that still, yet under God, hath delivered you, so I trust, by the Almighty Power of God, that I still shall be his Instrument to preserve you from Envy, Peril, Dishonour, Shame, Tyranny and Oppression, partly by means of your intended helps, which we take very acceptably, because it manifesteth the largeness of your Loves, and Loyalties unto your Sovereign. Of my self I must say this, I never was any greedy, scraping Grasper, nor a strait fast-holding Prince, nor yet a Waster; My heart was never set on Worldly Goods, but only for my Subjects good. What you do bestow on me, I will not hoard it up, but receive it to bestow on you again. Yea mine own properties I count yours to be expended for your good. Therefore render unto them from me I beseech you, Mr Speaker, such thanks as you imagine my Heart yieldeth, but my Tongue cannot express.

Note that all this while they kneeled. Whereupon her Majesty said, Mr Speaker, I would wish you and the rest to stand up, for I shall yet trouble you with longer Speech, so they all stood up and she went on in her Speech, saying.

Mr. Speaker, You give me thanks, but I doubt me, I have more cause to thank you all than you me; And I charge you to thank them of the House of Commons from me: for had I not received a knowledge from you, I might have fallen into the Lap of an Error, only for lack of true Information. Since I was Queen, yet did I never put my Pen to any Grant, but that upon pretext and semblance made unto me, that it was both good and beneficial to the Subjects in general, though a private profit to some of my antient Servants who had deserved well: But the contrary being found by Experience, I am exceeding beholding to such Subjects as would move the same at first. And I am not so simple to suppose, but that there be some of the Lower House whom these grievances never touched; And for them I think they speak out of Zeal to their Countries, and not out of Spleen or malevolent Affection, as being Parties grieved; and I take it exceeding grateful from them, because it gives us to know that no respects or interesses had moved them, other than the minds they bear to suffer no diminution of our Honour, and our Subjects Love unto us. The Zeal of which Affection tending to ease my People and knit their Hearts unto me, I embrace with a Princely Care; far above all Earthly Treasure I esteem my Peoples Love, more than which I desire not to merit. That my Grants should be grievous to my People, and Oppressions to be Priviledged under colour of our Patents, our Kingly Dignity shall not suffer it; Yea, when I heard it I could give no rest to my thoughts until I had reformed it. Shall they think to escape unpunished, that

have thus oppressed you, and have been regardless of their duty, and regardless of our Honour? No. Mr Speaker, I assure you, were it not more for Conscience sake, than for any glory or increase of Love, that I desire these Errors, Troubles, Vexations and Oppressions done by these Varlets and lewd Persons, not worthy the name of Subjects, should not escape without condign punishment. But I perceive they dealt with me like Physicians, who ministering a Drug make it more acceptable by giving it a good Aromatical Savour, or when they give Pills do gild them all over. I have ever used to set the last Judgment day before mine Eyes, and so to Rule as I shall be judged to answer before a Higher Judge. To whose Judgment Seat I do Appeal, that never thought was cherished in my Heart that tended not to my Peoples good. And now if my Kingly Bounty have been abused, and my Grants turned to the hurt of my People, contrary to my will and meaning; or if any in Authority under me, have neglected or perverted what I have committed to them, I hope God will not lay their Culps and offences to my Charge; and though there were danger in repealing our Grants, yet what danger would not I rather incur for your good, than I would suffer them still to continue? I know the Title of a King is a Glorious Title; but assure your self, that the shining glory of Princely Authority hath not so dazzled the Eyes of our understanding, but that we will know and remember, that we also are to yield an Account of our Actions before the great Judge. To be a King and wear a Crown is more glorious to them that see it, than it is pleasure to them that bear it. For my Self, I was never so much enticed with the glorious name of a King, or Royal Authority of a Queen, as delighted that God hath made me this Instrument to maintain his Truth and Glory, and to defend this Kingdom (as I said) from Peril, Dishonor, Tyranny and Oppression. There will never Queen sit in my Seat with more Zeal to my Country, Care to my Subjects, and that will sooner with willingness yield and venture her Life for your Good and Safety than my Self. And though you have had and may have many Princes more mighty and wise sitting in this Seat, yet you never had or shall have any that will be more Careful and Loving. Should I ascribe any thing to my Self and my Sexly Weakness, I were not worthy to live then, and of all most unworthy of the mercies I have had from God, who hath ever yet given me a Heart which never yet feared Foreign or home Enemies. I speak it to give God the praise as a Testimony before you, and not to attribute any thing unto my self; For I, O Lord, what am I, whom practices and perils past should not fear! O what can I do (these he spake with a great Emphasis) that I should speak for any Glory! God forbid. This Mr Speaker I pray you deliver unto the House, to whom heartily recommend me. And so I commit you all to your best Fortunes, and further

Councils. And I pray you Mr. Comptroller, Mr. Secretary, and you of my Council, that before these Gentlemen depart into their Countries, you bring them all to kiss my Hand.

Thus far out of the aforesaid Journal; Now follows part of the next dayes Passages out of the Original Journal-Book of the House of Commons.

On *Tuesday* the first day of *December*, Three Bills had each of them one reading; of which the last being the Bill for Inning of certain surrounded Grounds in the County of *Norfolk* was read the second time, and committed to the former Committees for surrounded Grounds in the Counties of *Cambridge* and *Huntington*, and unto Sir *Michael Sands*, Sir *Moile Finch*, Mr *Oliver Cromwell*, Mr *Walter Cradock* and others, and the Bill was delivered to Sir *Robert Wroth* one of the former Committees, who with the rest was appointed to meet this Afternoon at two of the Clock in the Court of Wards.

The Amendments in the Bill touching imperfections of a Statute made in the eighth year of her Majesties Reign concerning the making of Hats were twice read, and with the Bill Ordered to be ingrossed.

The Amendments in the Bill also against usual and common swearing were twice read, and the Bill was Ordered to be ingrossed.

Upon the reading of the Amendments divers spake unto the Bill, two of whose Speeches are here transcribed out of the private Journal, as also others relating to other matters.

Mr *Gascook* spake and said, Man is made of two parts, a Soul and a Body; And there are two Governments, the one Imperial, the other Sacerdotal; the first belonging to the Common-Wealth, the second to the Church. Swearing is a thing moral and toucheth the Soul, and therefore fitter to be spoken of in a Pulpit than in a Parliament. If the God of *Abraham*, the God of *Isaac*, and the God of *Jacob* hath sworn, his Plague shall not depart from the House of the Swearers, why should we not seek to repress this Vice, which brings a Plague, which breeds Mortality, that breeds Destruction, Desolation, and the utter ruin of the Common-Wealth? If he forbid us to Swear, and we fear not his Commandments, think you a pain of ten shillings as is here set down, will make us refrain this iniquity? I may speak of this Bill as a Painter which made a most Artificial Table of the Waves of the Sea, and another Painter in the same Table Painted a Tree so lively as possible might be, growing as it were out of the Sea: There grew a question which was the most curious Workmanship; and the deciding of the Controversie was referr'd to a third skilful Painter, who gavethis Judgment of the Tree, *O valde bene, sed non hic erat locus*. So may I say of this Bill; It is as hard for this penalty to restrain this Sin, as for Religion to spring out of the Common Law and to take effect. *Aristotle* saith, a Man may be *Bonus Civis*,

Civis, but not *Bonus Vir*; And though I abhor the sin, yet I deny not but a Sinner may be a good Member. *Moses* when he saw God, could but see his back parts only, and no Man ever saw more. Why, these Swearers swear by all his Parts, so perfectly, as though they had seen him all over. *Philip King of France* made a Law that the Swearer should be drowned; Another Law was made that a certain sum should be presently paid as soon as he had Sworn, or else the Swearer to lose his Head. We use so much Levity in our Law, that we had as good make no Law, for we give a Penalty, and to be taken upon condition before a Justice of Peace; Here is wise stuff, first mark what a Justice of Peace is, and we shall easily find a Gap in our Law. A Justice of Peace is a living Creature, yet for half a Dozen of Chickens, will dispense with a whole dozen of penal Statutes. We search and ingross the retail. These be the Basket Justices of whom the Tale may be verified of a Justice that I know, to whom one of his poor Neighbours coming, said, Sir, I am very highly rated in the Subsidy Book, I beseech you to help me. To whom he Answered, I know thee not. Not me Sir, quoth the Country man? Why your Worship had my Teem and my Oxen such a day, and I have ever been at your Worships Service; Have you so Sir, quoth the Justice, I never remember'd I had any such matter, no not a Sheeps-Tail. So unless you offer Sacrifice to the Idol-Justices, of Sheep and Oxen, they know you not. If a Warrant come from the Lords of the Council to levy a hundred men, he will levy two hundred, and what with chopping in and chusing out, he'll gain a hundred pounds by the Bargain. Nay if he be to send out a Warrant upon a mans request to have any fetcht in upon suspicion of Felony or the like; he will write the Warrant himself, and you must put two shillings in his Pocket as his Clerks Fee, (when God knows he keeps but two or three Hindes) for his better maintenance. Why we have past here five Bills of Swearing, going to Church, good Ale, Drunkenness and this is as good to them as if you had given them a Subsidy and two Fifteenths. Only in that point I mislike the Bill, for the rest I could wish it good passage.

Sir *Francis Hastings* said (amongst other Speeches to this Bill) That such Justices were well worthy to be lockt up in an Ambury. But he wisht that all might not be censured for one evil, who though he neglected both the care of Conscience and Country which he should love, yet doubtless many did not so, as being touched in Conscience to remember that our long Peace should make us careful to please Him in doing of Justice, that had preserved us, and was the Author of our Peace, God himself. And thereupon the said Bill was ingrossed as aforesaid.

Mr. *Wiseman* moved the House to remember two things; one that it had been an Antient Custom in Parliament, sometimes to call the House, which as yet was not done; the other,

that whereas heretofore Collection had been used for the Poor, those which went out of Town, would ask leave of the Speaker and pay their money.

Sir *Edward Hobbie* said, The Gentleman that last spake moved you, but I would remove you a little further. May it please you, It hath been a most laudable Custom, that some contribution or Collection should be made amongst us in *pious usus*; And I humbly pray we do not forget our Parliamentary Charity. Every Knight paid ten shillings, every Burgeſs five shillings, part of the whole to the Minister, and part to your Servant here, and part to the Poor, the rest at your disposals. The last time our Charity ransom'd a Prisoner, for the Father's good desert. The last time Sir *Robert Wroth* and Mr. *Fettiplace* were Collectors. It rests in you either to appoint them or chuse others.

Mr. *Fettiplace* said, It is true, Mr. Speaker, I was Collector the last year, there was paid out of the money collected, to the Minister ten pound, to the Serjeant thirty pound, to Sir *John Leveson* for the redemption of Mr. *Fox* his Son that made the Book of Martyrs, thirty pound: There was money given to Prisons, that is the two Counters, *Ludgate* and *Newgate* in *London*, in *Southwark* two, and *Westminster* one. How old the Custom is I know not; but how good it is I know. For my own particular, having once undergone that service already, I humbly pray that it would please you to accept another.

Mr. *Tate* said, Charity proceedeth from Conscience, it breeds obedience to God, it pleaseth God; and so went on and spake for a Town in his Country lately burnt, that it would please the House to contribute something to the Poores Loss.

The Bill for the assurance of the Joynture of *Lucie Countess of Bedford* was read the third time and passed upon the question.

The Bill for Denization of certain persons born beyond the Seas, as also the Bill for Confirmation of the Grant of King *Edward* the Sixth to Sir *Edward Seymour* Knight, had each of them one reading and passed upon the question, and with three others were sent up to the Lords by Mr. Comptroller, Mr. Secretary *Herbert* and others.

Sir *Walter Raleigh* made Report of the Travel of the Committees in the Bill touching the payment of Debts upon Shop-Books (who were appointed on *Wednesday* the 15th day of *November* foregoing) and brought in the Bill with some small Amendments, and prayed the reading thereof.

Mr. *Tate* likewise brought in the Bill from the Committees touching Sir *Anthony Mayney* Knight, with some Amendments and Alterations by the same Committees (who were appointed on *Monday* the 23th day of *November* foregoing).

The Amendments in the Bill touching Sir *Anthony*

thony Mayney Knight, &c. were twice read and Ordered to be ingrossed.

Mr Davies made Report of the meeting of the Committees in the Bill touching Painters, and certifieth the Bill with some Amendments.

The Amendments in the Bill touching Shop-Books were twice read, and with the Bill upon the question and division of the House Ordered to be ingrossed, *viz.* with the Yea a hundred fifty four, and with the No eighty eight.

These things being thus transcribed out of the Original Journal-Book of the House of Commons, now follows a Message delivered by the Speaker in her Majesties name to the House, out of the private Journal.

Mr Speaker said, First I am by her Majesties Commission to make Report unto you of that notable and excellent Speech which her Majesty delivered. I shall deliver unto you but a shadow of that substance; but I greatly rejoice, that so many were there present who are well able to supply to others the true Report of her Majesties Speech. It pleased her Majesty to shew in what gracious part she accepted our Loyalties. She said she rejoiced not so much to be a Queen, as to be a Queen over so thankful a People, and that God had made her a means to save us from Shame, Tyranny and Oppression. She did accept of our intended Present, which she said manifested our Love and Loyalty; most graciously affirming, that she never was any greedy Griper or Fastholder, and what we did present, she would not hoard it. For the thanks which were yielded for her great regard of us, she willed me to return her thanks to you most graciously; and to tell you, that her Heart never inclined to pass any Grant but upon suggestion that it was for the good of the Subjects: And now that the contrary hath appeared, she took it graciously that the knowledge thereof came from her Subjects. She ever set the last Judgment before her Eyes, and never thought arose in her but for the good of her People. If her Grants were abused to their Hurt against her Will, she hoped God would not lay their Culps and offences to her Charge, and the principal Members not touched; And had it not been for these her good Subjects, she had fallen from Lapse into Error. Those that did speak she thought spake not out of spleen or displeasure to the Grants, but to deliver the grief of their hearts, which above any Earthly Pleasure she respected. She said she was not allured with the Royal Authority of a King, neither did she attribute any thing unto her self, but all to the Glory of God. She said, the Cares and Trouble of a Crown are known only to them that wear it; and were it not more for Conscience sake than for any desert or want of disposition in her, these Patentees should not escape without condign Punishment. She desired not to Reign longer than that her Government and Reign should be for our good. She said, we well might have a Prince of more wisdom and sufficiency,

but of more Love and Affection we should never have. Her Majesty delivered a Commandment to *Mr Comptroller* and *Mr Secretary*, that the Gentlemen of the Country should be brought to kiss her Hand before they departed.

The residue of this dayes Passages do follow out of the Original Journal-Book of the House of Commons it self, as also part of the next.

The Amendments in the Bill touching Shop-Books were twice read and Ordered to be ingrossed.

The Bill to prevent Perjury and Subornation of Perjury was read the second time, and committed unto the Queens Learned Council being Members of this House, *Mr Attorneys* of the Dutchy and the Court of Wards, *Sir Moyle Finch*, *Sir Anthony Cope*, *Mr Townsend*, *Mr Bacon* and others; And the Bill was delivered to *Mr Townsend*, who with the rest was appointed to meet upon *Thursday* next at two of the Clock in the Afternoon in the *Middle-Temple Hall*.

The Bill for charitable uses was delivered to *Mr Earington*.

On *Wednesday* the second day of *December*, Four Bills of no great moment had each of them one reading; of which the last being for the Assurance of the Parsonage and Vicaridge of *Rotherstone* to *Tho. Venables Esq;* was read the second time, and committed unto the Knights and Burgeses for *Chester* and *Cheshire*, the Burgeses for *Oxford*, *Sir Edward Hobbie* and others, who were appointed to meet to Morrow in the Court of Wards, at two of the Clock in the Afternoon.

Mr Moore made Report of the meeting of the Committees in the Bill touching the Hospitals, and of some Amendments therein.

The Amendments in the Bill for the three Hospitals were twice read, and with the Bill Ordered to be ingrossed.

The Bill for the Amendments of *Double Soal green* was read the second time, and committed unto *Mr Chancellor* of the Exchequer, *Sir Robert Wroth*, *Sir William Lane* and others; and the Bill was delivered to *Sir Robert Wroth*, who with the rest was appointed to meet upon *Friday* next in the Exchequer Chamber at two of the Clock in the Afternoon.

The Bill to reform abuses used by the Clerk of the Market was read the second time, and thereupon *Mr Frecheville* one of the Knights for *Derbyshire* spake unto it.

In that I speak being least worthy, I hope it will be deemed to proceed from affection, not presumption. Besides, I have learnt it for a Rule in this House, it is better to venture Credit than Conscience: There are three things to be considered in this Bill; the inconveniency, the necessity of the remedy, and the conveniency of the punishment. For the inconveniency, no man but knows it, who knows the State of his Country. In mine there is nothing more generally complained of than the inequality of measures; for the rich have two measures, with the one he
buys,

buyes, and ingrosseth Corn in the Country, that is the greater; with the other he retails it at home to his poor Neighbours, that's by the lesser. This is to the great and just complaint of all. So after many other matters moved upon Statutes, the Bill was committed to Mr *Frechville*, Mr *Wiseman*, Mr *Johnson*, Sir *George Moore*, Sir *Robert Wroth*, Sir *John Egerton*, the Burgeses and Citizens of all Cities and Corporate Towns, the Knights for *Norfolk*, Mr *Francis Moore*, Mr *Zachary Lock*, Mr *Warcup*, Mr *Sinnell*, Mr *Doyle* and Mr *Thomas Caesar*, who were appointed to meet upon *Saturday* next in this House at two of the Clock in the Afternoon.

The Bill for the more diligent resort to Church upon *Sundays* was read the second time, unto which divers Speeches were had in the House.

Mr *Roger Owen* said, that he misliked the Bill for two respects; the one for the Penalty, the other in respect of the Party punishing, that is the Justice. For the first the Penalty is twelve pence. It is well known that the poorest Recusant in *England* ought as well as the rich to pay his twenty pound, and for want of Lands and Goods his Body is lyable; And therefore we shall double punish him, which is against Law. For the other, touching the Justice, I think it too great a trouble, and they are ever loaden with a number of penal Statutes, yea a whole Alphabet, as appears by *Hussey* in the time of *Henry* the Seventh. And this is a matter so obvious, that a Justice of Peace his House will be like a Quarter Sessions with the multitude of these Complaints. I think also it is an infringement of *Magna Charta*, for that gives Tryal *per pares*, but this by two Witnesses before a Justice of the Peace. And by this Statute if a Justice of Peace come into the Quarter Sessions, and say it is a good Oath, this is as good as an Indictment: Therefore for my part away with the Bill.

Sir *Francis Hastings* said, I never in my Life heard Justices of the Peace taxed before in this sort: for ought I know, Justices of Peace be men of Quality, Honesty, Experience and Justice. I would ask the Gentleman that last spake, but two questions; the first, if he would have any Penalty at all inflicted; the second, if in the first Statute or in this an easier way for the levying of this twelve pence. If he deny the first, I know his scope; if the second, no man but himself will deny it. And to speak so in both, is neither gravely, religiously nor rightly spoken. And therefore for God, the Queen, and our Countries sake, I beseech a Commitment.

Mr *Carey Raleigh* said, The Sabbath is Ordained for four Causes; First, To meditate on the Omnipotency of God, Secondly, To Assemble us together to give thanks, Thirdly, That we might be the better enabled to follow our own Affairs, Fourthly, That we might hallow that day and sanctify the same. King *James* the Fourth in the Year 1512. and King *James* the Sixth in the Year 1579, or 1597. did erect and ratify a Law, that whosoever kept either Fair or Market

upon the Sabbath, his moveables should presently be given to the Poor. Men gathering of sticks were stoned to Death, because that was thought to be a kind of Prophanation of the Sabbath. In *France* a Woman refusing to sanctify the Sabbath, Fire appeared in the Air; this moved her not: it came the second time; and devoured all that ever she had (only a little Child in the Cradle excepted.) But to come nearer ourselves, in the Year 1583. the House of *Paris Garden* by Gods just Judgment fell down as they were at the Bear-baiting the 23th of *January* on a *Sunday*, and four hundred persons sorely crushed, yet by Gods Mercy only eight slain outright. I would be an humble Suitor to the Honourable that sit about the Chair, that this brutish Exercise may be used on some other day and not upon the *Sunday*, which I with my heart do wish may be observed, and doubt not, but great reformation will come if this Bill pass. To the better effecting whereof, I humbly pray, that if there be imperfections in it, it may be committed.

Sir *George Moore* said, I have read that the tongue of a man is so tyed in his mouth, that it will stir, and yet not so tied that it will stir still. It is tied deep in the Stomach with certain strings which reach to the heart; to this end I say, that what the heart doth offer, the tongue may utter; what the heart thinks the tongue may speak. This I know to be true, because I find it in the word of truth, *Out of the abundance of the heart the mouth speaketh*. For the Gentleman that last spake and so much inveighed against Justices, it may be it proceeds out of the corruption of his heart; howsoever I mean not to search it or answer him; only I turn him to *Solomon* and mean to answer him with silence. Without going to Church, doing Christian Duties, we cannot be Religious, and by Religion we learn both our Duty to God and to the Queen. In doing our Duty to God we shall be better enabled to do our Duty to our Prince. And the word bindeth us, that we should give to God that which is due to God, *Et Cæsari quæ sunt Cæsaris*. Amongst many Laws which we have, we have none for constraint of Gods Service. I say, None, though one were made *in primo* of this Queen, because that Law is no Law which takes no force, for *Executio Legis, vita Legis*. Then let us not give such cause of Comfort to our Adversaries, that having drawn a Bill in Question for the service of our God, we should stand so much in questioning the same. Once a Month coming to Church excuseth us from danger of the Law, but not from the Commandment of God, who saith, *Thou shalt sanctifie the Sabbath day*, that is, every Sabbath. This Bill ties the Subject to so much and no more, which being agreeable with the Law of God, and the Rule of Policy, I see no reason why we should stand so strictly in giving it a Commitment.

Mr *Bond* said, I wish the Sabbath sanctified according to the precise Rules of Gods Commandment,

mandment, but I wish that St *Augustins* Rule may be observed in the manner, *non jubendo, sed docendo, magis monendo quam minando*. I like not that power should be given to the Justices of Peace; for who almost are not grieved at the luxuriant Authority of Justices of Peace? By the Statute of 1 *Edm.* 3. they must be good men and lawful, no maintainers of evil, but moderate in Execution of Laws; for Magistrates be men, and men have always attending on them two Ministers *Libido & Iracundia*; men of this nature do subjugate the free born Subject. Clerks can do much, Children more, and Wives most. It is dangerous therefore to give Authority in so dangerous a thing as this is, which I hold worth your second thoughts, *quæ solent esse prudentiores*. Her Majesty during all the time of her Reign hath been clement, gracious, meek and merciful, yea chusing rather *delinquere*, I know not how to term it, in Lenity and not in Cruelty. But by this Statute there is a constraint to come to divine service, and for neglect all must pay. *Pleſentur Achivi*, the poor Commonalty, whose strength and quietness is the strength and quietness of us all, he only shall be punished, he vexed. For will any think that a Justice of Peace will contest with as good a man as himself? No, this Age is too wise. I leave it to this House, whether it stand with Policy, when four Subsidies and eight Fifteenths be now granted, to bring the poorer sort into greater fear by these and such like Laws, *Malus custos diuturnitatis metus*. And in the gracious Speech which her Majesty lately delivered unto us, she used this, that she desired to be beloved of her Subjects. It was a wise Speech of a wise Prince, for an Historian saith, *Timor excitat in vindictam*. Therefore Mr Speaker, I dislike the Bill in that point touching Justices, and also touching taxation. I will only say thus much with *Pamutius* in the Nicene Council, *Abſit quod tam grave jugum fratribus nostris imponamus*.

I am sorry said Mr Comptroller, after forty three years under her Majesties happy government that we shall now dispute or commit a Bill of this nature. And I would that any voice durst be so bold or desperate as cry, Away with this Bill. The old Statute gives the penalty, this new only speedier means to levy it. I much marvel that men will or dare accuse Justices of Peace, Ministers to her Majesty without whom the Commonwealth cannot be. If this boldness go on, they will accuse Judges, and lastly the Seat of Justice it self. That all Justices should be thus generally accused, this is meer Barbarism indeed. When her Majesty shall have understanding hereof, it will be no content unto her, and a scandal unto us all.

Mr *Glascock* said, In that I am taxed to tax Justices of Peace, I am to pray the House to give me leave to make an Apology for my self. Mr Speaker, I will not deny that I spake, and protest it in my conscience, I spake only of the inferior sort of Justices, commonly called Basket

Justices; against these I will not speak that I spake last, but other matter in other Terms. They be like the wise men of *Chaldee*, that could never give judgment till they saw the Entrails of Beasts. Our Statutes penal be like the Beast born in the Morning, at his full growth at noon, and dead at night: So these Statutes quick in Execution like a wonder for nine days; so long after, they be at the height; but by the end of the year, they are carried dead in a Basket to the Justices House.

Mr. Speaker said, Mr. *Glascock*, you speak from the matter and purpose, and this that you have spoken you must justify.

Mr. *Martin* said, I am rather willing to speak, in that I would willingly have an end of this matter. I think we all agree upon the substance, that it is fit the Sabbath should be sanctified. The other matter which is the impediment, I know it is a grief, but I leave it as matter more fit to be decided at a Committee, than here. And therefore for the Honour of the Queen and of her Government, I wish it may be committed without further Argument.

Sir *Robert Wroth* said, I think the Office of Justice of Peace is too good a calling for him that exclaims against it, and I think he'll ne're have the honour to have it. It were good they were named, and that he told who they were: otherwise honest men will be loth to serve the Queen, when they shall be slandered without proof. Therefore I would he might answer it at the Bar. And all said, No, No.

Mr. *Johnson* said, This Bill is an excellent good Bill; And I have observed in all the Speeches yet spoken have been interlarded with other matter. The Gentleman now protesteth he spake of Basket Justices; I appeal to the whole House whether his definition were not general, *viz.* A Justice of Peace is a kind of living Creature, that for half a Dozen of Chickens will dispense with a dozen of penal Statutes. I think it is well known that the Honourable that sit about the Chair, and all the rest of her Majesties Privy Council have and do hold the same place, and this toucheth them as much as Inferiour Justices. And therefore I humbly pray he may answer it at the Bar, and that it may not be past over with silence.

Mr *Hide* said, Every man agrees this Bill hath good matter, and we all agree and consent to the substance, though dissent to the form; some have more wit, & some have more understanding than others. If they of meaner capacity and Judgment spake impertinently, let us not in a spleen straight cry, Away with the Bill; but let us give it the same favour we give to Bills of far inferior nature, that is a Commitment; so the Bill was committed to the former Committees (who were appointed on *Wednesday* the 18th day of *November* foregoing) and to all the Privy Council being of this House, Sir *Robert Wroth*, Sir *Carew Reynolds*, Sir *Anthony Cope*, Mr. *Bond*, Mr. *Martin*, Mr. *Hide*, Mr. *Owen*, Mr. *Beeston* and Mr. *Wimarke*, who were appointed

ted to meet to Morrow in the Afternoon in the Exchequer Chamber at two of the Clock.

Two Bills of no great moment had each of them one reading; of which the second being the Bill against Victualling Houses, Taverns, &c. was read the third time; And after many Arguments upon the question dashed.

The Bill against double payment of Debts upon Shop-Books was read the third time, and Ordered upon the question of Amendment in some few words to be committed unto Mr. Serjeant *Harries* and others, and to be put to the question for passing to Morrow.

Peter Fretchvile Esquire, returned unto this present Parliament one of the Knights for the County of *Derby*, for that he is chosen Sheriff of the County and other his necessary affairs, is licensed by Mr. Speaker to depart home.

Nota, That have it appeareth that *Peter Fretchvile* Esquire being a Member of the House and elected Sheriff of the County of *Derby* did notwithstanding continue his place in the same: by which it is apparent that the said places are not incompetent, but may stand and be together *simul & semel* in one and the same Person.

On *Thursday* the third day of *December*, Four Bills of no great moment had each of them one reading; of which the second being the Bill for the strengthening of the North parts was read the second time, and committed unto all the Privy Council being Members of this House, the Knights and Burgesses for *Cumberland*, *Westmerland* and *Northumberland* and others, who were appointed to meet to Morrow in the Afternoon at two of the Clock in the Exchequer Chamber.

Mr. *Davies* brought in the Bill touching Garbling of Spices with some Amendments, which were twice read and the Bill Ordered to be ingrossed.

The Bill for the Assurance of the Joynture of the Countess of *Suffex* was read the second time, and committed unto the Privy Council being Members of this House, Mr. Serjeant *Harries*, Sir *Walter Raleigh*, Sir *Robert Wroth* and others, who were appointed to meet this Afternoon in the Exchequer Chamber at two of the Clock.

The Bill for the Assurance of the Joynture of *Rachel* the wife of *Edward Nevill* of *Birling* in the County of *Kent* was read the second time, and committed unto Sir *Edward Hobbie*, Sir *George Moore*, Sir *Moyle Finch*, Sir *John Grey*, Mr. *Francis Moore* and others, who were appointed to meet this Afternoon at two of the Clock in the Exchequer Chamber.

The Bill touching the confirmation of the sale of Lands made by *Lewes* late Lord *Mordant* deceased, was read the second time and committed unto the former Committees for the Earl of *Suffex*, and Mr. Attorney of the Wards, Mr. *Tanfield*, Mr. *Winch* and Mr. *Ludlow* who were added unto them.

Mr. *Mountague* moved that such persons as

shall prefer and have benefit by any private Bills may in regard of their said benefits be charged with some consideration and payment of Money towards the relief of the Poor, which being assented unto, It was Ordered by the whole House, That such persons as shall have any private Bills expedited and passed in this House, during this Session of Parliament only, shall pay towards the relief of the Poor, for every Bill so passed in this House touching the sale of Lands, ten pound; and likewise for every Bill for confirmation of particular Joyntures the sum of five pound, to be distributed in such sort as this House shall further appoint.

Upon a motion made by Mr. Secretary *Cecill* that the Charity and Collection made by the Members of this House for the relief of the Poor (during this present Session of Parliament) may especially be extended to the comfort of the poor maimed Souldiers now remaining in and about the City of *London*, it was most willingly and readily assented unto by the whole House.

Mr. *Dannet* Burgess for *Tarmouth* said, May it please you, Mr. Speaker, The duty I owe to my Sovereign and Country makes me bold to crave your Patience to hear me. The matter that I shall speak of is twofold, the first concerneth the Honour of the Queen, the second the safety of our Country, two very high points for me to handle, and require a more eloquent Discourse than I am able to make. I will use no circumstance or with superfluous matter abuse the time which is very precious, but to the matter. I have been of the Parliament five or six times, and I have always observed by this House (and I would willingly be resolved by the Honourable about the Chair) that all the Wars of her Majesty are Wars offensive, and I do not hear the contrary: How then windes it that such a number of her Majesties Subjects be spoiled, robb'd, beaten, wounded, themselves taken, used with such extreme torture, rack'd, carried away, imprisoned, ransomed, fined, and some executed, and all this time no Wars? But give me leave, for these ten Years, I am sure the Subjects of this Land on the Sea-Coast have undergone these Tyrannies, and by whom? even by two base Towns *Dunkirk* and *Newport*. *Dunkirk* at first began with two Ships and are now encreased to almost twenty. They are at home at Supper, and the next day here with us. I must needs confess the great charge that I know the Lord Admiral is at continually by lying ready to take these Pirates. Send to take them, they straight flee home: if our Ships return they are streight here again. I dare boldly say it, they have done *England* more hurt since they began, than all *France*, either in the time of *Hen. 8.* *Edm. 6.* or *Queen Mary*. If it be so that these two base Towns shall so confront the Power of this Land, I see no reason why they should be suffered: for it is a great dishonour both unto the Queen and unto the Kingdom. I have heard many say

that the Navies are the Walls of the Kingdom ; but we suffer our Ships still to be destroyed, some to be burnt, and some to be sunk. We may compare our Seamen to Sheep feeding upon a fair Mountain, in the midst whereof stands a little Grove full of Wolves: Why M^r Speaker we are so plagued with them, that they be so bold, as now and then to take our Harvest-men tardy with Ambuscadoes. I speak with grief, and it was reported unto me by a Scottish-man, that Duke *Allert* and the *Infanta* should plainly publish, that they would pull down so many of the Walls of *England*, that they would easily make an Entry. And it had been better for Sea-Coast men to have given the Queen an hundred Subsidies that they had been long since suppress'd. My humble Motion is, that it would please the House to enter into consideration of these things, for the honour, good and safety both of the Queen and of the Kingdom.

M^r *Peake* said, I must needs shew unto this House (upon so good an occasion offered) how grievously the Town of *Sandwich* (for which I serve) is vexed and almost undone, insomuch as in that Town there is neither Owner, Master or Mariner that hath not felt it. Her Majesty is continually at Charge, but what ensueth or cometh of it, I never yet knew. If in the County of *Kent* at *Shooters Hill*, *Gadd's Hill*, *Baram Down*, &c. there should many and often Robberies be committed, and the Justices look not to it, this were but an ill part. Every day men come home, their Goods and all they have taken away, yea their very Apparel; and if the Ships might also be carried away, they would do it. This would be amended and looked into. We had need to cherish this Subject, I think him to be the best and most necessary Member of the Common-Wealth, I mean the Navigator.

M^r *Martin* said, I like not these extravagant Speeches in the manner, though I dislike them not in the matter. They are like to men whose Houses being on Fire run out into the street like Madmen for getting themselves of help. That that Cottage of *Dunkirk*, the flourishing Estate whereof is a dishonour to our Nation, should so much offend us, when we never offer to suppress them; it is no marvel. I think there is no man but understands the grief: But I wish that those who at first propounded to the House this matter, had also laid down some project, though never so small, of remedy; otherwise such curfory Motions as these be, cannot be but very distastful to the House.

M^r *Litbe* said, Within these twelve dayes one man lost two hundred pound only by *Dunkirkers*, who took the same away.

M^r Secretary *Cecill* said, My Speech shall only tend to advance the Motion of the Gentleman that spake first in this point. If we would have remedy, we are to consider two things; First, That it will be a matter of charge, and secondly, That there must be a distribution thereof. For the first, I leave it to you; for the second, it is

out of my Element. Withal I must excuse them that have Authority to remedy this; For unless you would have a continual charge unto her Majesty by having Ships lying betwixt us and *Dunkirk*, it is impossible but that at sometimes these Robberies will be committed. I could very well agree to bring this Motion to some head, being a matter in mine opinion very considerable, in a Committee; And all said, I, I, I.

M^r *Dannet* said, I would only move the House that some Masters of Ships and Seamen might be sent for to attend at the Committee. Whereupon it was Ordered to be considered of and refer'd to Committees, viz. all the Privy Council being Members of this House, the Queens Learned Council being of this House, Sir *Walter Raleigh*, the Burgesses for Ports and Sea-faring Towns, the Knights of the Shires for Maritime Counties, the Masters of Request, M^r Lieutenant of the Tower, Sir *Francis Hastings*, Sir *Robert Wroth* and others, who were appointed to meet upon Saturday next at two of the Clock in the Afternoon in the Exchequer Chamber.

The Bill touching Fines within the County of the City of *Chester* was read the third time and past upon the question.

M^r *Tate* said, I would only move the House, that whereas an Information is exhibited by the Earl of *Huntington* against a Member of this House, M^r *Belgrave*, into the Star-Chamber, containing no matter of substance or note other than matter very dishonourable to this House; therefore I humbly pray, it may be refer'd to be considered of by the Committees for the Privileges of the House, (whose names see on Saturday the 31th day of October foregoing) And all said I, I, I: and he delivered the Information to the Speaker. *Vide December 16. Wednesday.*

The Bill for the re-uniting the Mannor of *Eye* and *Dunsden* to the Mannor of *Sunning* was read the second time, and committed presently to be considered of in the Committee Chamber by M^r Solicitor, Sir *Francis Bacon* and others, and to have Conference with the Lords touching the same Bill.

The Bill for the Naturalizing of *Josepho de Lupo* (and others) was read the second time and Ordered to be ingrossed.

The Amendments in the ingrossed Bill touching Shop-Books were three times read, and thereupon much disputed on.

To this Bill M^r *Zachary Lock* began to speak, who for very fear shook that he could not proceed, but stood still a while, and at length sat down.

M^r *Bacon* speaking of this Bill said, that Bills were wont to be committed with pleasure, but now we would scarce hear them with Patience: The Merchants Books be springing Books; every year they encrease.

M^r *Henshaw* amongst other Speeches shewed, that it was easy to cross a Merchants Book, which a man might see at all times; but if one should give the Merchant a Bond, when he had many thrust

thrust together, perhaps he would intreat the Gentleman to come some other time for it, who if he should in the mean time die, his Executors are without remedy, &c.

Serjeant *Harris* said, These Merchants Books be like *Basingstoke* Reckonings, over night five shillings and six pence, if you pay it; if not, in the Morning it is grown to a just Noble. This Debt is a sleeping Debt, and will lull Young Gentlemen into the Merchants Books with the golden Hooks of being trusted by the Merchant, and his Expectation after his Fathers Decease: These are matters dangerous, and may prove hurtful; wherefore I think it a good Bill.

Mr *John Harris* said, Where it is said there can be no wager of Law against a Merchants Book in *London*, it is true, but first the Merchant must swear the Debt.

Mr *Thomas Jones* said, It is my Chance now to speak something, and that without Hemming or Hawing. I think this Law is a good Law. Streight reckonings make long Friends. As far goes the penny as the penny Master. *Vigilantibus & non dormientibus jura subveniunt*. Pay the reckoning over night and you shall not be troubled in the Morning. If ready money be *mensura publica*, let every man cut his Coat according to his Cloth. When the old Suit is in the Wane, let him tarry till his money bring a new Suit in the increase. Therefore I think the Law to be good, and I wish a good passage.

Mr *Hackwell* of *Lincolns-Inn* said, I am a man of that rank and condition, that I never sell, I seldom buy, and pay ready money, and the safest course this Bill offers to me for my particular. But the great mischief that will redound by it to the Commons is that which makes me speak. I am not transported with such vehemency, but if I may be answered, I'll lay down the Buckler. This Bill hath a good Face and an ill Body. It hath a very good Head-piece, I mean the Title. If I may intreat you to put on a good deal of Patience for a little time, I will make it somewhat plain. We must lay down the respects of our own persons, and put on others, and their affections for whom we speak; for they speak by us. If the matter which is spoken of toucheth the poor, then think me a poor man. He that speaks, sometimes he must be a Lawyer, sometimes a Painter, sometimes a Merchant, sometimes a mean Artificer. Most men desire forbearance; this Bill destroys it, which tends to the gain and good of the Creditors, and good also of the Buyer: but seeking to avoid a mischief we fall into an inconveniency; for the manner is unproportionable and unjust. If the Buyer be so negligent that he will not care to see himself discharged, must we needs make a Law to help his Folly? The Proverb is *Caveat Emptor*. If this Law go forwards, the Augmentation of Confidence in his antient habiliments cannot be preserved. For if it be a hard Year, the poor Artificer which hath Wife, Children and Household, and lives by the sweat of his Brows, cannot live;

for he hath no money to buy all by the penny, but perhaps he hath Credit, which perhaps may help his present necessary Estate. Besides, I can teach you all a trick, how for twelve pence you shall avoid this Statute; And that is, put in an Original within a Year, and so let it lie Dormant.

After this Motion, the House after four hours Argument and sitting till three quarters after twelve, was divided; the Y's had a hundred fifty one Voices, and the Noes a hundred and two. So the Bill passed by forty nine Voices. Then the Noes should have fetcht in the Bill and gone out with it, because it was at the passage of the Bill; but because time was past, and it was very late, and there were great Commitments this Afternoon, they were dispensed withal.

Nota, That these are Excellent Precedents touching the manner of bringing in a Bill upon the division of Voices, and withal upon what ground the Ceremony it self was omitted; to which purpose also there fell out like Precedents on Friday the 21th day of March in Anno 31 Reg. Eliz. and on Thursday 21. day of December in Anno 39 Regine ejusdem.

On Friday the 4th day of December, Three Bills had each of them one reading; of which the last being the Bill for confirming the Authority and Government of the Mayor, Sheriffs and Aldermen of the City of *London* within *S^t Katherine Christ Church*, was read the second time and committed unto the Knights and Citizens for *London*, Mr Doctor *Cesar*, Sir *Robert Wroth*, Sir *Moyle Finch*, Sir *George Moore* and others, who were appointed to meet upon Monday next in the Afternoon at two of the Clock in the Doctors Commons.

Mr *Calfield* made Report of the meeting of the Committees in the Bill for the Assurance of the Parsonage and Vicaridge of *Rotherston*, &c. with some Amendments.

The Amendments in the Bill touching the Assurance of the Parsonage and Vicaridge of *Rotherston*, &c. were twice read, and the Bill was Ordered to be ingrossed.

Sir *Robert Wroth* reported the meeting of the Committees in the Bill for the draining of Grounds in the County of *Norfolk*, and brought in the Bill with some Amendments.

The Amendments in the Bill touching draining of surrounded Grounds in *Norfolk* were twice read, and the Bill was Ordered to be ingrossed.

The Bill touching Subornation of Perjury was brought in with some Amendments.

The Amendments in the Bill touching Subornation of Perjury were twice read, and the Bill Ordered to be ingrossed.

The Bill for reformation of abuses in Sheriffs and other inferiour Officers for not executing Writs of Proclamation upon Exigents according to the Statute of 31 Eliz. was read the second time, and committed unto Mr Solicitor, Mr Attorney of the Dutchy and others, who were ap-

pointed to meet upon *Monday* next in the *Middle-Temple Hall*, at two of the Clock in the Afternoon.

The Bill touching the making of Fustians within the Realm was read the second time and committed unto all the Queens Privy Council and Learned Council being of this House, the Knights and Citizens for *London*, the Burgesses for *Chard, Colchester* and *Canterbury*, Sir *Walter Raleigh*, Mr *Maynard*, Mr *Hide*, Sir *Edward Hobbie*, Sir *Francis Darcy*, Mr *Wiseman* and others, who were appointed to meet upon *Thursday* next in the Exchequer Chamber at two of the Clock in the Afternoon.

The Bill prohibiting any Fair or Market to be kept on the *Sunday* was read the second time and committed to the former Committees in the Bill touching the Sabbath day (who were appointed on *Wednesday* the 4th day of *November* foregoing.) And Mr *Brown* and Mr *Doyle* were added unto them, who were appointed to meet to Morrow Morning in the Committee Chamber of this House.

The Bill touching the Lands given to godly and charitable uses was read the first time.

Mr *Doctor Carew* and Mr *Choppin* did bring from the Lords the Bill for the suppressing of Alehouses and Tipling-Houses.

The Bill for the suppressing of Alehouses and Tipling-Houses was read the first time.

On *Saturday* the 5th day of *December*, Three Bills had each of them one reading; of which the last being the Bill that Lands in the nature of Gavelkind may descend according to the Custom of the Common Law, was read the second time, and committed unto the Queens Learned Council being of this House, Sir *Moyle Finch*, Sir *Michael Sands*, Sir *Thomas Fludd*, Sir *John Lewson* and others; who were appointed to meet upon *Monday* next in the Morning in the Committee Chamber of this House.

The Bill for the relief of *Theophilus Adams* was read the second time, and committed unto the Knights and Citizens for *London*, Mr *Winch* and others, who were appointed to meet in the Exchequer Chamber upon *Monday* next at two of the Clock in the Afternoon.

The Bill for the granting of four entire Subsidies and eight Fifteenths and Tenths granted by the Temporality was read the third time and passed upon the question; And was presently sent up to the Lords by all the Privy Council and others of this House.

Nota, That whereas in the Parliament which was begun and holden at *Westminster* in *an. 35 Eliz. Anno Dom. 1592.* the Knights, Citizens and Burgesses of the House of Commons were not drawn without much and long dispute, both amongst themselves and with the Lords, to yield unto the Grant of three Subsidies and six Fifteenths and Tenths (being a greater gift than had ever before been given unto her Majesty) and that the same was then also assented unto in respect of the great dangers were newly threat-

ned unto her Majesty from *Rome* and *Spain* with caution and promise nevertheless that it should not be drawn into Precedent for future times; yet in the next Parliament which ensued in 39 *Reginæ Anno Dom. 1596.* although none of the said imminent dangers which had been feared in the above-mentioned thirty fifth Year of her Majesties Reign had to that time come into any real Execution, the House of Commons was notwithstanding again drawn to yield unto the same proportion of three Subsidies and six Fifteenths and Tenths, to be paid also unto her Majesty within a shorter time; And now lastly in this present Parliament in *An. 43 & 44 Regin. ejusdem Anno Dom. 1601.* the said House was drawn in respect chiefly of the troubles of *Ireland*, where the *Spaniard* had set footing, to present unto her Highness the extraordinary and great gift of four Subsidies and eight Fifteenths and Tenths, the Bill whereof did this present *Saturday* being the 15th day of *December* pass the House of Commons upon the third reading, and was presently sent up to the Lords as aforesaid, by whom it was lastly passed also upon the third reading upon *Tuesday* the 15th day of this instant *December* ensuing.

Mr *Boyce* made Report of the meeting of the Committees in the Bill for the Jointure of *Rachell* Wife of *Edward Nevill, &c.* (who were appointed on *Thursday* the third day of this instant *December* foregoing) and brought in the Bill with some Amendments.

The Amendments in the Bill touching the Jointure of *Rachell* Wife of *Edward Nevill* of *Birling* in the County of *Kent* were twice read, and the Bill was Ordered to be ingrossed.

Sir *Francis Hastings* made Report at large of the meeting and travel of the Committees in the Bill touching coming to Church on the *Sunday*, being in some parts amended, delivered in the Bill and prayed the reading thereof.

The Amendments in the Bill touching coming to Church on the *Sunday* were twice read, and the Bill was Ordered to be ingrossed.

At the Committee in the Afternoon in the House for some course to be had against *Dunkirk*,

Mr *Fettiplace* said, There was remedy three manner of wayes; First, There is transportation of Ordnance, which being carried to the Low Country-man, he carryeth it to *Dunkirk* or to our Enemies, which if it were hindred, doubtless our Enemies would find want in time; Secondly, The Law of Tonnage and Poundage; Thirdly, It hath been offered to the States, that the Maritime parts might save themselves freely. And I take it to be a Rule in Policy, we should not yield that to our Friends, which may be fitting to our Foes.

Mr *Wingfield* shewed the Bill touching Fens, which was exhibited the last Parliament and past both Houses, but advised upon by her Majesty for some respects, Intituled An Act for the recovering of three hundred thousand Acres more or less

less of Wafts, Marish and Watry Grounds in the Isle of Ely and in the Counties of Cambridge, Huntington, Northampton, Lincoln, Norfolk and Suffolk. On the left side on the top of the Bill was written in Roman Letters *Soit bayle as Seigneurs*; and close to that in another hand, *A cest Bill avecq; les amendments & la provison à celle annexes, les Surs sont assentus*: under the Provision annexed to the Act on the left side thereof close to the writing, *Soit bayle aux Communes*: on the back under the Title aforesaid was written thus.

- 1.
- 2.
- 3.

He shewed also the Bill for Fens in this Parliament intituled An Act concerning the draining and recovering from the water of certain overflown grounds in the County of Norfolk. It was concluded at the Committee, that the Coast Town-men of the County should meet together in the Afternoon on Monday, and consider of some course, and relate the same to the Committee again.

On Monday the 7th day of December, Two Bills of no great moment had each of them one reading; of which the second being the Bill for the relief of poor Prisoners in Ludgate, was read the first time.

Mr. Serjeant Harries made Report of the meeting of the Committees in the Bill for the Assurance of the Joynture of the Countess of Suffex (who were appointed on Thursday the third day of this instant December foregoing) and of some Amendments and a Proviso added by the Committees.

The Amendments in the Bill with a Proviso touching the Joynture of the Countess of Suffex were twice read, and with the Bill Ordered to be ingrossed.

The Bill for confirmation of the Assurances of the Lands of Sagebury alias Sedgebury to Samuel Sandyes Esquire and John Harries Gentleman and their Heirs was read the first time.

Mr. Snigg one of the Committees in the three Bills touching Cloths and Clothiers (who were appointed on Wednesday the 18th day of November foregoing) declared that by Order and direction of the same Committees he hath reduced and drawn the three said Bills into one Bill reformed in the Abuses committed amongst Clothiers, and prayed the reading.

The Bill for the true making and working of Woollen Cloths was read the first time.

Mr. Doyle, one of the Committees in the Bill touching Fairs and Markets, not to be kept on the Sunday (who were appointed on Friday the 4th day of this instant December foregoing) brought in the Bill with some Amendments added by the Committees.

The Amendments in the Bill prohibiting Fairs and Markets to be kept on the Sunday were twice read, and the Bill was Ordered to be ingrossed.

The Bill touching the Assize of Fuel was read the second time and committed unto the

Knights and Citizens for London, Sir Jeron Bowes, Sir Robert Wroth and others, who were appointed to meet to Morrow in the Court of Wards at two of the Clock in the Afternoon.

The Bill touching Charitable uses, &c. was read the second time, and committed to the former Committees (who were appointed on Saturday the 28th day of November foregoing) and Mr. Serjeant Harries and others were added unto them, who were appointed to meet this Afternoon in the Exchequer Chamber at two of the Clock.

Mr. Bacon said, I am, Mr. Speaker, to tender unto this House the fruit of the Committees Labour which tends to the Comfort of the Realm, I mean the Merchant, which if it quail or fall into a Consumption, the State cannot choose but shortly be sick of that disease. It is inclining already. A certainty of Gain is that which this Law provides for, and by policy of Assurance the safety of Goods assured unto the Merchants. This is the Loadstone that draws him on to adventure, and to stretch even the very punctilio of his Credit. The Committees have drawn a new Bill far differing from the old; the first limited power to the Chancery, this to certain Commissioners by way of Oyer and Terminer; The first that it should only be there, this that only upon appeal from the Commissioners it should be there finally arbitrated. But lest it may be thought for vexation, the Party Appellant must lay it *in deposito*, &c. and if tryed against him, to pay double Costs and Damages. We thought this course fittest for two reasons; First because a Suit in Chancery is too long a course, and the Merchant cannot endure delays; Secondly, because our Courts have not the knowledge of their Terms, neither can they tell what to say upon their Causes which be secret in their Science, proceeding out of their experience. I refer the Bill both old and new to your considerations, wishing good success therein both for the comfort of the Merchants and performance of our duties. The Act is Intituled

An Act touching Policies of Assurances used amongst Merchants.

Sir Edward Hobbie said, It was the good pleasure of this House to refer the consideration of an Information exhibited against a Member of this House one of the Burgeses for the Town of Leicester, viz. Mr. Belgrave, the scope and purpose of which Information pretendeth an abuse to be done to the High Court. The Gentleman himself was at the Committee, and did acknowledge the substance of the suggestion, but denied the circumstance. Some of the Committees censured it to be an enormous fault to invest himself (for so the words of the Information are) in a blue Coat, but others were of a contrary opinion, because they were satisfied upon allegations alleged that it was done *ad redimendam vexationem* which had been offered to him, and so he thought

thought to right himself these wayes. Besides, I am to inform the House, that this Information was put in *sedente curiâ*, and therefore thought by the Committees to be some disgrace to the same. And because this Gentleman should not take benefit of this Pardon, therefore the Information (as I said) is now put in *sedente curiâ*, which I wish the House to note. And because he should be debar'd of remedy against the party, he hath therefore caused the same to be exhibited in M^r Attorney Generals name. May it please the House, because he desireth to be heard, and being now here, that he may speak himself, in that he told the Committees he had some special matter to deliver unto you; and if he shall be found culpable, he would most willingly abide your censures. But because other Statutes were to be read of importance, this was refer'd over till some other time. *Vide December 17th postea.*

An Act for the continuance of divers Statutes, and repeal of some others was read the second time.

M^r Francis Moore desired it might be read, as also the Exposition of the Justices upon the Statute of 39 Eliz. of Rogues, which if it please the House he thought fit to be annext to that Statute.

M^r Bacon said, There were never yet any more than two *Articuli*; the one, *Articuli super Chartas*, when the Sword stood in the Commons hands; the other *Articuli Cleri*, when the Clergy of the Land bare sway, and that done upon deliberation and grave advice. I beseech you remember these are done by Judges and privately perhaps in a Chamber, and shall we presently without scanning or view, Enact them? It befits not the gravity of this House. And so after a long Speech dasht it.

The Bill touching payment of Debts upon Shop-Books lately pass'd in this House was sent up to the Lords by M^r Comptroller and others.

After sundry Motions and Arguments made against An Act made 39 Regine Eliz. touching Lands given to charitable uses, it was upon the question Ordered, that the said Act should be repealed. And upon another question (whether the said Act should be repealed in the particular new Bill exhibited this Session of Parliament, or else in the general Bill touching repeal of Statutes, it was agreed by the House that it should be repealed in the general Bill of Repeal of Statutes.

Upon a Motion made by M^r Solicitor for a Conference to be had with the Lords in the Bill that pass'd with their Lordships and hath been twice read in this House, Intituled An Act for the reuniting of Eye and Dunsden to the Mannor of Sunning; It is appointed that M^r Comptroller of the Exchequer, M^r Solicitor and others do meet to Morrow with the Lords at eight of the Clock in the Morning touching the same Conference.

On Tuesday the 8th day of December the Bill touching Watermen on the River of Thames was read the second time and committed unto the Knights and Citizens for London, Sir George Moore, Sir John Lewson and others, who were appointed to meet this Afternoon in the Exchequer Court at two of the Clock.

M^r Moore, one of the Committees in the Bill touching St Thomas's Hospital made Report of the travel of the same Committees, and certifieth in the Bill with some Amendments.

The Amendments in the Bill touching St Bartholomews Hospital was twice read, and with the Bill Ordered to be ingrossed.

The Bill touching Glas-Houses was read the first time and rejected upon the Question.

M^r Winch one of the Committees in the Bill touching Theophilus Adams (who were appointed on Saturday the 5th day of this instant December foregoing) brought in the Bill amended in some parts by the Committees.

The Amendments in the Bill for Theophilus Adams were twice read, and the Bill Ordered to be ingrossed.

M^r John Harris made Report of the meeting of the Committees in the Bill touching abuses in Sheriffs and other Officers in not executing Proclamations (who were appointed on Friday the 4th day of this instant December foregoing) and delivered in the Bill not altered or amended in any point.

The Bill touching abuses in Sheriffs, &c. was Ordered to be ingrossed.

M^r Simnell moved this House for some speedy consideration to be had to restrain the transportation of Iron Ordnance. Whereupon the Bill Intituled An Act prohibiting transportation of Iron Ordnance beyond the Seas was read the second time; but before it was committed, there pass'd many Speeches and Arguments touching it in the House, being of very great moment.

Sir Edward Hobbie said, I may resemble this to a saying of a Gentleman who told a story of a skilful Painter that painted a Tree in the Sea so lively, &c. And the Judgment was, *O valde bene, sed hic non erat locus*: So I say, this Bill is an Excellent Bill, the matter foul, the request and remedy good and honest, but this is not our mean of redress. Her Majesty in the late Proclamation took notice thereof, and no doubt she will redress it. And for us now to enter again on bringing or allowing Acts against Monopolies, is to refuse her Majesties gracious favour, and cleave to our own affections. I think therefore if we deal therein, Petition will be our only course. This is a matter of Prerogative, and this is no place.

M^r Fettiplace said, I know her Majesty receiveth Yearly by Custom for the transportation of these Ordnance three thousand pound. There be four kinds of these Ordnance now usually transported; The first a Falkon of the least weight and bore; the second a Minion, a little heavier and bigger; the third a Sacre, somewhat greater;

greater; the fourth a Demi-Culverin being the greatest. Now M^r Speaker, they which transport Ordnance do transport in this manner; If it be a Falkon, she shall have the weight of a Minion, and so if a Sacre the weight of a Demi-Culverin: the reason hereof is, because when they are brought beyond the Seas they will new bore them to a greater size, as the Sacre to the Demi-Culverin bore; Besides, M^r Speaker, eight Tun of Iron Ordnance will make five Tun of good Iron. And it is now grown so common, that if you would send Merchandize beyond the Seas in Strangers Bottoms, they will not carry it; unless you will ballast their Ships and load them with some Ordnance. The Ordnance be carried to *Callais, Embden, Lubeck, Rochell, Brest, St John de Luce*, and other places, and these be Confederates with *Spain* and Friends with *Dunkirk*, so that in helping them we do not only help our Friends, but succour the *Spaniards* their Friends and our Enemies. If the Queen would forbid the transportation of Ordnance but for seven Years, it would breed such a scarcity to the *Spaniard*, that we might have him even where we would: Some (no doubt) the Sea would devour, some would be taken, and the store which he now hath, scattered, and thereby his Force weakened. They have so much Iron in *Spain* out of *England*, that they do ordinarily sell a hundred weight of Iron Ordnance for seven Duckets and a half Spanish. And if the *Spaniard* do make it a Capital matter but to transport a Horse or a Gennet, much more ought we to have a special care herein, when we shall Arm even our own Enemies against our selves. I think therefore to proceed by way of a Bill would favour of curbing her Majesties Prerogative. But to proceed by way of Petition, it is a safe course and pleasing, and we ought the rather to be induced thereto, because already we have found it successful.

M^r Brown said, There is a Law already in the point, and that is in the thirty third Year of *Henry* the Eighth Cap. 7. and in the second of *Edward* the Sixth Cap. 37. which prohibits the transportation of Gun-Metal. And although Guns were not then made of Iron, yet now they are, and therefore perhaps you will say it is out of the Statute. But it was lately adjudged in *Worlingtons* and *Simpsons* Case to be clearly within the very Letter of that Law. And I am sure Guns be made of Gun-Metal, and whosoever transporteth Guns, transporteth Gun-Metal; and it is within the danger of that Law. But that which I would move is only this, that we might be Petitioners to her Majesty to revoke that Patent, and then *Curat Lex, &c.*

Sir *Walter Raleigh* said, I am sure heretofore one Ship of her Majesties was able to beat ten *Spaniards*; but now by reason of our own Ordnance we are hardly matcht one to one. And if the *Low-Countries* should either be subdued by the *Spaniard*, or yield unto him upon a Conditional Peace, or shall join in Amity with the *French* as

we see them daily inclining, I say there is nothing doth so much threaten the conquest of the Kingdom as the transportation of Ordnance. And therefore I think it a good and speedy course to proceed by way of Petition, lest we be cut off from our desires, either by the Upper House, or before by the shortness and sudden ending of the Parliament.

M^r *Carey* said, We take it for an use in the House, that when any great or weighty matter or Bill is here handled, we straight say it toucheth the Prerogative and must not be medled withal; And so we that come to do our Countries good, bereave them of that good help we may justly Administer. M^r Speaker, *Qui vadit planè, vadit sanè*; Let us lay down our griefs in the Preamble of our Bill, and make it by way of Petition; And I doubt not but her Majesty being truly informed of it, will give her Royal Assent.

M^r Secretary *Herbert* said, The making of *Armamentaria* is a Regality belonging only to the power of the King and the Crown of *England*, and therefore no man can either cast or transport without Licence. It stood perhaps with the Policy of former times to suffer transportation, but as the times alter, so doth the Government. And we doubt it is now very hurtful and prejudicial to the State; and therefore I am of opinion, that it is very fit this transportation should be stayed; and I concur only with them which would have it by way of Petition, and not by Bill.

M^r *William Hackwell* of *Lincolns-Inn* said, I know the Authority of the Worthy Counsellor that last spake will incline you to yield to this Objection; Yet notwithstanding I beseech you suppose him to be a man of my Condition, or me to be a man of his sort, so I doubt not but our persons being equalized, the matter will soon be decided. Where he saith, transportation is necessary to aid our Friends and retain their Alliance; I Answer, That it is the subtilty and covetousness of our Friends, who finding the inestimable gain and treasure they have by Ordnance brought from us, do not only desire them for gain, but also to gain to themselves Confederates, by which means succouring our Friends we aid our Enemies: For look whatsoever we give them, we deduct from our selves. Now let us stop this transportation, and that greatly weakens their Forces, by which means they will never be able to encounter us hand to hand. Our Ordnance (this pretious Jewel of our Realm, worth even all we have) is as familiarly sold in the Countries of our Confederates as any thing within this Land; but being stopt, they must be fain to take supply from their Ports to their Ships, from their Ships to the Field, &c.

Sir *Francis Hastings* said, How swiftly and sweetly her Majesty apprehends our late griefs, I think there is no Subject but knoweth. For us then to deal in a matter so highly touching her Prerogative, we should give her Majesty just cause to deny our Proceedings by Bill. I think therefore

therefore by laying open our griefs in a Petition, it will move the heart of her Majesty as much, being a Case of this consequence, as our first Motion by Mr Speaker hath done. And therefore I am of Opinion there is no way but this way.

Sir George Moore said, It is in vain to dispute of the matter when the manner is only in question; and as vain to lose the matter by overlong dispute of the manner. The late experience of her Majesties Love and Clemency towards us, and of her Care over us striketh such an awful regard into my heart, that I wholly dislike this proceeding by Bill, and only do approve our former Motion by way of Petition.

Mr Hyde said, Mr Speaker, It is doubted by some that this Bill will not pass by reason of the sudden ending of the Parliament; for that, I think if we give not too much stop to private Bills, this Bill would quickly pass. And I see no reason but we may well proceed by Bill, and not touch her Majesties Prerogative; for her Majesty is not more careful and watchful of her Prerogative than the noble Princes of Famous Memory King Henry the Eighth her Father, and King Edward the Sixth her Brother were. Then there was no doubt or mention of the Prerogative: And therefore I think our surest and soundest course is by way of Bill, &c.

Mr Comptroller said, I wish we should deal in such manner as we may have our desire; and that I think, we shall sooner obtain in speaking unto the Queen by way of Petition, than in proceeding by way of Bill and Contestation. We must note that her Self and her Progenitors will not be forced: And I do not hold this course by way of Bill either to stand with respect or duty.

Mr Swale of the Middle-Temple said, I would but move thus much to the House, if we let slip this Law, and proceed by way of Petition, then is there no Law to prohibit, but the Law of 33 Hen. 8. and 2^d of Edm. 6. And those Laws give so small a remedy, that it is no recompence to the loss of the thing.

Mr Serjeant Harris said, It hath been thought that the former Statutes do not stretch to Ordinance made of Iron; But may it please the House to commit the Bill, there shall be shewed to the Committees four or five Precedents and late Judgments, that Iron Guns come within this Law.

Mr Solicitor Flemming said, The Gentleman that spake last said very true, for it was lately in *Matchiwells* Case in the Exchequer.

So the Bill was committed to all the Privy Council, and all the Queens Learned Council being of this House, Sir Walter Raleigh, the Knights and Citizens of London, Sir Francis Hastings, Mr Grevill, Sir Robert Wroth, Sir Robert Mansell, Sir Richard Knightley, Sir George Moore and divers others, who were appointed to meet in this House at two of the Clock in the Afternoon.

Then followed a dispute touching the Information against Mr Belgrave a Member of the same.

Mr Belgrave said, Mr. Speaker, Modesty forbids me to speak in my own Case that so nearly concerneth me, but necessity urgeth me to appeal to this High Court. True it is, there was an Information exhibited against me in the Star-Chamber by an Honourable Person of the Upper House (the Earl of *Huntington*) in the name of Mr. Attorney General, for a Misdemeanor committed to this High Court; the substance of that Information I confess, yet I am to be an humble Suitor unto this House, whether an Information is to be exhibited (this House sitting) against any Member thereof. And for my own part I do submit my self to abide such Censure as this House shall in their Wisdoms think convenient.

Sir George Moore said, viewing the Information, I find the words to be against the High Court of Parliament, which is as well the Upper House as this House; and therefore I wish there might be a Conference with the Lords herein. Now this House is but part, and a Member of the Parliament, and therefore we solely cannot proceed.

Mr. Serjeant Harris said, In the 36th of Hen. 8. when *Ferris* Case was, who was a Member of this House, did not we proceed without any Conference with the Lords? Here might be *libera suffragia*, and no man of this House to be chosen by any Friends or Mediation of any great Man, neither ought we to be tyed by any Blue Coat in the World. But as our Persons are Priviledged, so should our Speeches be; And therefore I see no reason to confer with the Lords when we may proceed our selves.

Sir Edward Hobbie said, If the Case were but plain of it self, I should be of the Gentlemans mind that last spake: but I am given to understand, and also desire so to inform the House, that this Information was put into the Star-Chamber by some kind of Order from the Lords, and therefore very convenient a Conference should be had.

Sir Francis Hastings said (who was Brother to the Earl of *Huntington*) To enter into consideration of this Cause by Report (and otherwise I cannot) I know no man but respecteth the Honourable Person himself, and for this Gentleman (Mr. Belgrave) I ever took him, and so do, to be a man of very good Carriage: To condemn him, I do not mean: but I humbly pray that a course for his Honour may be taken, and the matter so handled, that the Honour of the Person may be saved, the Gentleman freed from further offence, and this Cause ended with good Conclusion. And I protest I am not privy to the Prosecution.

Mr. Dale said, *Id possumus quod jure possumus*; and therefore resting in doubt herein, the safest course is a Conference.

Mr. Tate said, It is not good to utter things suddenly

suddenly in great matters. Our dispute may seem to have this end, either to incur the dangers of our Priviledge by not regarding this Cause, or to pry too near into her Majesties Prerogative by examining Informations exhibited into the Star-Chamber. Wherefore I think we ought to be Petitioners, (*Nota verbum* Petitioners) or at least to shew our griefs to the Lords; and if by any Order from them (as was alledged) this Information was put in, methinks in reason a Conference were good to examine the Cause, and inform this House truly thereof.

Mr. *Skipwith* the Petitioner said, If I knew or did think that any wrong were offered to the Earl of *Huntington*, I would rather be a Petitioner for this Gentleman to him, than I would be a Protector of him against him. I knew Mr. *Belgrave* writ his Letter to my Lord, and that it pleased his Honour to Answer him; and that he offered to follow his Honour in that sort as is fitting for a Gentleman of his worth, and rather his Honour than any man in *England*. This I take it may satisfie the House for Answer to the first part of the Information, which containeth a dishonour offered to the Earl. For the second, which is deceiving of the Burgeses, I do Answer this House, They were both willing and worthy to be deceived. I know they had given their Voices, and desired Mr. *Belgrave* to take it. For the wrong to this Court, I hope this Court hath wisdom enough to right it self without any course to be taken in the Star-Chamber: yet by your favour, I may say thus much, that if we should punish him for coming indirectly into this place, we should punish three parts of this House; for none ought to be chosen but those that be resident, and sworn Burgeses of the Town.

Sir *Robert Wroth* said, This matter needs not so much dispute. There is a Precedent in this House to this point; in the last Year of Queen *Mary*, between *Pleddall* and *Pleddall*. It pleased the Lords of the Star-Chamber, *sedente Parlamento*, to bind the one at the Suit of the other to appear twelve dayes after the Parliament; and this adjudged to be an infringement of the Liberties.

Mr. *Davies* said, The Information favours more of wit than malice; And therefore I think, upon Conference with the Lords the matter may be brought to good end. I therefore humbly pray it may be put to the question, and that the Bill may be sent for out of the Star-Chamber.

Mr. *Carey* said, I take it, Mr. Speaker, the course hath been, that if the House be desirous to see any Record, you (Mr. Speaker) should send a Warrant to the Lord Keeper to grant forth a *Certiorari* to have the Record. If by this means this Information be brought into this House, upon view thereof perhaps this matter of dispute would take end.

Sir *Francis Hastings* offered to speak again in this matter; But Mr. *Bacon* interrupted him, and told him it was against the course. To which he

Answered, he was old enough to know when and how often to speak. To which Mr. *Bacon* replied, it was no matter, but he needed not to be so hot in an ill cause. To which Sir *Francis* replied, in several matters of debate a man may speak often. So, I take it, is the Order. He (pointing to Mr. *Bacon*) talk of Heat: I'll tell you, If I be so hot as he was Yesterday, then put me out of the House. The only thing that I would say is this, I wish a Conference may be had with the Lords, because the matter may be brought to some Friendly end; for God knows what may lie in the Deck till after the Parliament: And I suspect it the more, because the Information and no Process issued forth.

Mr. *Grevill* said, I wish that in our Conference we do not neglect our Priviledges, and that we may be means of mediation, &c.

So the House appointed these Members following to have Conference with the Lords, *viz.*

All the Privy Council being Members of this House, Sir *Walter Raleigh*, Sir *Francis Hastings*, Mr. *Fulke Grevill*, the Masters of Request, Sir *Edward Hobbie*, Sir *Robert Wroth*, Sir *Francis Darcie*, Sir *George Moore*, Sir *John Grey*, Mr. *Barrington*, Mr. *Tate*, Mr. *Martin* and Mr. *Skipwith*, to meet upon *Thursday* next at eight of the Clock in the Morning.

These names being thus transcribed out of the Original Journal-Book of the House of Commons, another passage of this day doth here follow out of a Private Journal of that House.

Mr. Speaker said, I am to certify you from the Lords of a great disorder committed by the Pages and Servants as well of the Lords themselves, as of your Servants and Attendants, so that not only abuse is offered, but weapons and blood drawn. For remedy whereof the Lords have given strait Commandment that their Servants keep peaceable and quiet Order, and that neither their Pages, Attendants or Servants do stand upon the Stairs or nearer the House than the Stair foot. They desire that every Member of this House would do the like to their Servants, and so expressly to charge and command them. And I would move you that you would be pleased the Serjeant might go forth and signify so much from you unto the Company without.

Mr. *Wifeman* said, The disorder Mr. Speaker speaks of, is now grown so great, that a man dare not go down the Stairs without a Conductor.

So the Serjeant went and delivered the Message, and the abuse was well reformed.

Mr. *Davies* made Report of the meeting and travel of the Committees in the Bill touching Gavelkind Lands, and brought in the Bill with some Amendments.

On *Wednesday* the 9th day of *December* the Bill touching the Assurance of certain Mannors, &c. to *Samuel Sandys* and *John Harries* Gent. was committed unto Sir *George Moore*, Sir *Stephen Soame*, Mr. *Henry Mountague*, Mr. *Tho. Cæsar*, Mr. *Trevor*, Mr. *Egeock*, Mr. *Jo. Harries*, the K^{ts} and Citizens

for *Worcester* and Mr. *Pawle*, who were appointed to meet in the *Middle-Temple Hall* at two of the Clock in the Afternoon of this present day.

The Amendments in the Bill touching Gavelkind Land were twice read, and with the Bill Ordered to be ingrossed.

The Amendments in the Bill touching a Key or Harbour to be made on the North parts of the River of *Severn* were twice read, and with the Bill Ordered to be ingrossed.

The Bill for maintenance of Ships and increase of Sea-faring men was read the second time and committed unto the Queens Learned Council being of this House, Sir *Walter Raleigh*, Sir *Robert Wroth*, the Knights and Citizens for *London*, the Burgeſſes of all the Port Towns, Mr. *Trevor* and others, who were appointed to meet this Afternoon in the Exchequer Chamber at two of the Clock; And the Bill and Committees names were delivered to Sir *Walter Raleigh*.

Mr. *Moore* made Report of the meeting of the Committees in the Bill touching *Cree Church*, and brought in the Bill with some Amendments.

The Amendments in the Bill touching *Cree Church* were twice read, and the Bill was Ordered to be ingrossed.

The Bill for the making and working of Woollen Cloths was read the second time, and committed unto the former Committees for Woollen Cloths (who were appointed to meet *November 23.* and on *Wednesday* the 18th day of *November* foregoing) and appointed now to meet to Morrow in the Afternoon in the Exchequer Chamber at two of the Clock.

Another Bill also touching the Government of some Northern Counties was read the first time.

The Points to be considered of in the continuance of Statutes were read, and offered still to dispute, whether the Statute of Tillage should be continued.

Mr. *Johnson* said, In the time of Dearth when we made this Statute, it was not considered that the hand of God was upon us; And now Corn is cheap; if too cheap, the Husbandman is undone, whom we must provide for, for he is the Staple man of the Kingdom. And so after many Arguments he concluded the Statute to be repealed.

Mr. *Bacon* said, The old commendation of *Italy* by the Poet was, *Potens viris atque ubere gleba*; and it stands not with the policy of the State, that the wealth of the Kingdom should be ingrossed into a few *Graziers* hands. And if you will put in so many Provisoers as be desired, you will make it useles. The Husbandman is a strong and hardy man, the good footman, which is a chief observation of good Warriors, &c. So he concluded the Statute not to be repealed.

Sir *Walter Raleigh* said, I think this Law fit to be repealed; for many poor men are not able to find seed to sow so much as they are bound to plough, which they must do, or incur the Penalty of the Law. Besides, all Nations abound

with Corn. *France* offered the Queen to serve *Ireland* with Corn for sixteen shillings a quarter, which is but two shillings the bushel; if we should sell it so here, the Ploughman would be beggered. The *Low-Country* man and the *Hollander*, which never soweth Corn, hath by his industry such plenty that they will serve other Nations. The *Spaniard* who often wanteth Corn, had we never so much plenty, will not be beholding to the *English* man for it, neither to the *Low-Country* men, nor to *France*, but will fetch it even of the very Barbarian. And therefore I think the best course is to set it at liberty, and leave every man free, which is the desire of a true *English* man.

Mr. Secretary *Cecill* said, I do not dwell in the Country, I am not acquainted with the Plough: But I think that whosoever doth not maintain the Plough, destroys this Kingdom. There were the last Parliament great Arguments in this point; and after a deliberate disputation, the passage of this Bill concluded. My Motion therefore shall be, that this Law may not be repealed, except former Laws may be in force and revived. Say that a Glut of Corn should be, have we not sufficient remedy by transportation, which is allowable by the Policy of all Nations? I cannot be induced or guided from this opinion upon Government of former Statutes; I am sure when Warrants go from the Council for levying of men in the Countries, and the Certificates be returned unto us again, we find the greatest part of them to be Ploughmen. And excepting Sir *Thomas Moore's Utopia*, or some such feigned Common-Wealth, you shall never find but the Ploughman is chiefly provided for: The neglect whereof will not only bring a general but a particular damage to every man. If in *Edward* the First his time a Law was made for the maintenance of the Fry of Fish, and in *Henry* the Seventh's time for preservation of the Eggs of Wild-Fowl; shall we now throw away a Law of far more consequence and import? If we debar Tillage, we give scope to the Depopulator; And then if the poor being thrust out of their Houses go to dwell with others, straight we catch them with the Statute of Inmates; if they wander abroad, they are within the danger of the Statute of the Poor to be whipt. So by this means undo this Statute, and you indanger many thousands. *Posterior dies discipulus prioris*. If former times have made us wise to make a Law, let these latter times warn us to preserve so good a Law.

Mr. *Serlbie* desired that the County of *Northumberland* might be exempted out of the Statute, because it was so nigh *Scotland*, and their Country was so infected with the Plague, that not only whole Families but even whole Villages have been swept away with that calamity, &c. And so he made a long Speech to that effect.

Serjeant *Telverton* and Mr. Dr. *Carey* came from the Lords to desire that the Conference touching Leters Patents might be prolonged till *Fri-*

day

day Morning at eight of the Clock, which was assented unto.

It was put to the question, whether the Bill of Tillage should be committed, and most said I, I, I. Then whether *Northumberland* should be exempted (upon Mr *Serlebies* Motion) and all said I, I, I.

Another matter which the Committees in the continuance of Statutes doubted of was, whether Mr *Dormers* Proviso should be put into the Bill of Tillage made *Anno 39 Regin. Eliz.*

Mr *Davies* said, May it please you, Mr Speaker, the Gentleman is at the Door ready to attend with his Councel, to satisfy the House. May it please the House to hear him, and all said I, I, I.

Mr *Dodderidge* of Councel with Mr *Dormer* who came with him spake and said, Mr Speaker, It pleased her Majesty to license Mr *Dormer* under her Letters Patents, with a *Non obstante* this Statute, to inclose three hundred Acres of ground; and he humbly prayeth the House to accept and admit of this Proviso for the saving of his Letters Patents; the rather for these reasons; First, In respect the ground inclosed is a small quantity; Secondly, The Country is apt for Pasture not for Tillage; Thirdly, The ground is a kind of a Marish Ground and too moist and soft and altogether unapt for Tillage; Fourthly, In that her Majesty hath granted her Letters Patents, and that they concern her Prerogative, that this House, &c. So he delivered the Proviso and Mr *Dormer* his Letters Patents, and went forth.

Mr Serjeant *Harries* said, *Ubi non est ordo, ibi est confusio*. Mr. Speaker, divers Gentlemen stand before the Door, which breeds a confused sound when the question is propounded. May it please every man to take his place, that is both a seemly and antient Custom. Which they all did accordingly.

Mr. Speaker said, I will put it to the question, Whether this Proviso shall be received. Whereupon it was twice put to the question, and the I, I, I. were the greater both the times, but the Noes would needs have the House divided. So the Door being set open and no man offering to go forth, Mr. *Martin* said:

Mr. Speaker, I have observed it, that ever this Parliament, the Noes upon division of the House have carried it. The reason whereof as I conceive is, because divers are loth to go forth for losing of their places, and many that cry I, will sit still with the No. I therefore do but move this unto the House, that all those that have given their I, I, would according to their Consciences go forth, and for my part (said he) I'll begin.

Sir *Walter Raleigh* rose up to Answer him; but Mr. Comptroller, Sir *John Fortescue*, and all the House seeing them, rose in a hurry to go forth, and did not hear him. Whereupon himself and Mr. Secretary, it seemed, being of the No's, took some displeasure, as may appear by the Speeches after.

The House being divided upon Mr. *Dormers* Proviso aforesaid, the I, I, I. were a hundred seventy six, the Noes a hundred thirty four; so that the I, I, I. got it by forty four Voices.

Now after the House was set quiet,

Mr. Secretary *Cecill* said, I am glad to see the Parliament so full, which towards the end used to grow thin; And therefore I think it convenient we agree upon some good Orders. The Reputation of this House hath ever been religiously maintained by Order and Government, but now Error hath so crept in amongst us, that we know not what is Order and what is disorder. The Gentleman that last spake (meaning Mr. *Martin*) first brake Order; for after the question put and the House agreed to be divided, he spake perswadingly to draw those out of the House which perhaps meant it not. Besides, he laid an imputation upon the House, that according to their Consciences men would not so much as remove out of their place: But I think there is no man here so fantastical, that though they be for the Bill, yet for their places sake, they will not alter their rooms. For this House is a House of Gravity, Conscience and Religion. I think it therefore fit he should Answer this imputation at the Bar. We have all this Parliament been against Monopolies, now we our selves protect one: But I see that men which have desired to be popular without the House for speaking against Monopolies, do also labour to be private within. But that I regard not. This I know, that good sums of money have been offered for the furtherance of this Proviso; but now it is past. I would now move you, that because we have spent some superfluous time in this Division, and because the affairs of this Parliament cannot possibly be dispatcht so soon as the Parliament must end, because of the performance of that gift which we have given unto her Majesty, which is nothing if it come not in due time, therefore that the House would be pleased after this day to sit in the Afternoons, for we consume our time now in unnecessary disputations.

Mr. Comptroller said, I think that notwithstanding any thing that hath been last said, howsoever our Orders have been heretofore broken, yet the Gentleman that spake, Mr. *Martin*, brake no Order of this House by speaking, for the House favoured him with silence, and therefore admitted to him liberty of Speech. That his Speech was neither perswasive or offered any imputation to this House, I neither perceive it nor conceive it so; for it was only a Caution to the House, that former Orders were broken, and therefore now to be amended. And surely for not removing out of places, I have heard fault found before this time, and therefore the Gentleman is not now to be taxed. That this should be a Monopoiy I can see no reason, for it hath been agreed that her Majesty may dispense with any penal Law, and that's no Monopoly, no more is this. And I am not of his mind that great sums have been offered, the quantity of

Land being but little, and his cause both good and just. And I protest for my part, I neither knew nor have heard of any. For the last Motion, which was the best, to sit twice a day, I do concur with him, and will be ready as a Member of this House to give my Attendance.

Sir *Walter Raleigh* said, I thought I had deserved of the House to have been heard to speak as well as he that spake before the division of the House; And in that I offered to speak and was not heard, I had wrong. For him that last spake, he spake out of Honour and not out of Judgment. Notwithstanding, I think it a Monopoly, and the Speech to be both perswasion, and to lay a great imputation upon the House. And this is all I would have said before.

Mr. *Martin* offered to speak, and asked the Speaker if he might Answer.

The House said I, I, I.

No, quoth Mr. Secretary, you must stand at the Bar.

The Cry of the House was, No.

Then Mr. Secretary wisht it might be put to the question, First, Whether he should speak or no; And so it was, and not twenty said No.

Then it was put to the question whether he should speak at the Bar:

And Mr. *Brown* the Lawyer stood up and said, Mr. Speaker, *par in parem non habet imperium*, we are all Members of one Body, and one cannot judge of another.

So it being put to the question, there were not above twelve I, I, that he should stand at the Bar.

Whereupon standing in his place he shewed the Cause of his Speech to have been only for the Order of the House, and not out of any perswasive meaning that he had; for he protested that he knew neither the man nor the matter.

Sir *Walter Raleigh* made Report of the travel of the Committees in the Bill touching Iron Ordnance, and shewed, that they have drawn a new Bill to that purpose, and delivered in the old and the new.

On Thursday the 10th day of December the Bill touching Silk-Weavers, &c. was read the second time and committed unto the Knights and Citizens for London, the Citizens for York, Bristol, Norwich and Canterbury, Mr. *Barrington*, Mr. *Johnson* and others, who were appointed to meet this Afternoon in the Exchequer Chamber.

Mr. *Johnson* a Committee in the Bill for Affize of Fuel brought in the Bill amended in some parts by the Committees, and delivered it in.

The Amendments in the Bill touching the Affize of Fuel were twice read, and the Bill was Ordered to be ingrossed.

The Bill touching the taking away of Gavel-kind Custom in Kent was read the third time.

Mr. *Francis Moore* said, He thought the Bill a very idle and frivolous Bill, and injurious; for if a Man take a Wife, by the Custom she shall have the Moiety: but now if we make it go according to the Common Law, she shall have but the third part. So if the Father com-

mit a Felony and be Hanged, the Son shall not lose his Inheritance because the Custom is, *The Father to the Bough, the Son to the Plough*; which at Common Law he shall lose.

Mr. Serjeant *Harris* said, I think this Bill a very good Bill, for it defeats a Custom which was first devised as a punishment and plague unto the Country. For when the Conqueror came in, the reason of this Custom was to make a decay of the great Houses of the antient Britains. For if a Man of eight hundred pound *per Annum* had had eight Children, it must be divided into eight parts; And then if these also had Children, subdivided again *usq; in non quantum*: whereas if it had gone to one by the Common Law, it would still have flourished, &c.

Mr. *Bois* among many reasons shewed, that it would in Kent be a great loss to the Queen of her Subsidy; for by reason of these Sub-divisions there were many ten pound men. And whosoever knows the State of our Country shall find more by under ten pound men than above come to the Queen. And now if these being divided in several hands should now go according to the Common Law, this would make the Queen a great loser.

Being put to the question; the No was the greater, yet the I, I, I. would needs go forth; and upon division it appeared the I, I, I. were sixty seven, and the No a hundred thirty eight, and so the Bill was rejected.

The Bill for suppressing of Alehouses and Tippling-Houses was read the second time, and upon the question for committing dashed.

Mr. *Francis Moore* offered a Proviso to the House, and shewed that he was of Council, and standing Fee with the Corporation of Vintners in London: and shewed that they were an antient Corporation, and had ever used by force of divers Charters of Kings of this Realm to sell Wines; and now by this Bill all was inhibited: And therefore, &c. which was received.

Mr. *Johnson* said, If this Bill should pass, it would breed a great confusion of Government; for by this Law the Justices of the County might enter into the liberty of any Corporation, and license sale of Wine and Beer. Besides, he must be licensed by four Justices, perhaps there be not four Justices in a Corporation, admitting power were not given to the Foreign Justice. Now when these four Justices have enabled him by this Law, they have not power upon his misbehaviour to put him down, and so very insufficient and impossible to be mended.

Sir *Robert Wroth* said, The Bill is that no man shall sell, &c. but he must be allowed in the Quarter Sessions by four Justices, and what pain and charge this will be to a poor man to go with some of his Neighbours twenty or thirty Miles for a Licence, and what a monstrous trouble to all the Justices, I refer to your considerations, &c. and so the Bill was dashed, as is aforesaid.

Mr. Speaker shewed her Majesties Pleasure to be, that this House should proceed in all convenient

nient speedy course of dispatching the busineses at this time fit to be dealt in, for that her Majesty purposeth shortly to end this present Session of Parliament.

This Message being thus transcribed out of the Original Journal-Book of the House of Commons, now follows the residue of the Passages of this Forenoon out of a private Journal.

Sir *Edward Hobbie* said, We attended the Lords this Morning touching the Information against Mr. *Belgrave*, and in the end concluded, That forasmuch as it concerned their Lordships as well as our Priviledges, they desired some time to consult, and will send us word of their resolutions. *Vide December* the 16th *Wednesday* ensuing.

Doctor *Stanhope* and Doctor *Hone* brought a Bill from the Lords intituled An Act for establishing of the remainder of certain Lands of *Andrew Kettleby* Esq; to *Francis Kettleby*, and so they departed.

Then the questions upon the continuance of Statutes were offered to be read, but the House called for the Bill of Ordnance; yet the Clerk fell to read the questions, but the House still cried upon Ordnance.

At length Mr. *Carey* stood up and said, In the Roman Senate the Consul always appointed what should be read, what not; so may our Speaker, whose place is a Consuls place: if he err or do not his duty fitting to his place, we may remove him. And there have been Precedents. But to appoint what business shall be handled, in my opinion we cannot. At which Speech some hissed.

Mr. *Wiseman* said, I reverence Mr. Speaker in his place, but I take great difference between the old Roman Consuls and him. Ours is a Municipal Government, and we know our own Grievances better than Mr. Speaker: And therefore fit every man *alternis vicibus* should have those Acts called for he conceives most necessary. All said I, I, I.

Mr. *Hackwell* said, I wish nothing may be done but with consent, that breeds the best Concordance; my desire is, the Bill of Ordnance should be read. If you Mr. Speaker do not think so, I humbly pray it may be put to the question.

Mr. *Martin* and Mr. *Francis Moore* stood up, but Mr. *Martin* first, one would not yield to the other, and great calling there was, till at length Mr. Comptroller stood up and said, I am sorry to see this confusion in this House; it were better we used more silence, and kept better Order. Yesterday you Ordered the continuance of Statutes should be read; now in an humour you cry Ordnance, Ordnance. I pray you that which we first decree let us stick to, and not do and undo upon every idle Motion.

Mr. Secretary *Cecill* said, I will speak shortly, because it best becomes me; neither will I trouble your Patience long, because the time permits it not. It is a Maxim, *præstat otiosum esse quam nihil agere*. I wish the Bill for continuance of Statutes may be read; and that agrees with the Pre-

cedent Order of this House, and more with the gravity thereof: yet because the spirit of contradiction may no more trouble us, I beseech you let the Bill of Ordnance be read, and that's the House desire.

An Act against transportation of Iron Ordnance, Gun-Metal and Shot was read the first time.

Sir *Robert Wroth* informed the House that a Ship is now upon the River ready to go away Laden with thirty six pieces of Ordnance.

Post Meridiem.

After Dinner (the House now sitting as in the Forenoon) the Amendments in the Bill to confirm the Assurance of the Mannors or Farms of *Sagebury* alias *Sadgbury* to *Samuel Sands* Esq; and *John Harris* Gent. and their Heirs, were twice read, and the Bill was Ordered to be ingrossed.

Sir *Edward Hobbie* moved, that where one *Bird* a Servant of his hath been Arrested in *London* at the Suit of one *Woolley*, his said Servant might have the Privilege of the House: Whereupon it is Ordered that the said *Woolley* and the Serjeant that made the Arrest be sent for by the Serjeant of this House to Answer unto this House for their said contempt.

The Fishmongers of *London* were heard with their Councel touching a Proviso to be added to a former Act made in the year of her Majesty for encrease of Mariners and maintenance of the Navigation.

The Proviso for the Fishmongers to be added to the Statute of continuances was twice read, and committed to the Committees for continuance of Statutes to be allowed or rejected as shall be further thought fit.

The Bill for continuance of Statutes committed to all the Queens Learned Council being Members of this House, Sir *Walter Raleigh*, Sir *Francis Hastings*, Sir *Robert Wroth* and others, who were appointed to meet in the Court of Wards at two of the Clock in the Afternoon.

The Bill for the relief of the Poor was read the second time and committed unto Mr Comptroller, Sir *Robert Wroth*, Sir *Francis Darcie*, Mr. *Francis Bacon*, Mr. Lieutenant of the Tower and others, who were appointed to meet to Morrow in the Afternoon at two of the Clock in the Court of Wards.

Mr *Ireby* made Report of the meeting of the Committees in the Bill for draining certain surrounded grounds in the County of *Suffolk*, (who were appointed on *Saturday* the 28th day of *November* foregoing) and shewed that the Committees have thought fit to draw a new Bill to that purpose; and so delivereth in the old and the new.

Mr. *Winch* moved, that according to the resolution of the Committee in the Bill against transportation of Iron Ordnance, the House should proceed both by Bill and also by Petition unto her

her Majesty; which being debated, It was resolved, that those of the Privy Council being Members of this House should move her Majesty in the name of this House in that behalf.

The New Bill against transportation of Gun-Metal, Ordnance and Iron Shot was read the second time, and committed unto all the Privy Council Members of this House, Sir *Walter Raleigh*, Sir *Robert Wroth*, Sir *Francis Darcie* and others, who were appointed to meet upon *Saturday* next in the Afternoon at two of the Clock in the Court of Wards.

Oliver Cromwell Esquire returned this present Parliament Knight for the County of *Huntington*, is for his necessary occasions of business licensed by Mr. Speaker to depart.

On *Friday* the 11th day of *December* the Bill comprehending and containing the maintenance of good and profitable Arts and Trades for the Commonwealth was delivered by Mr. *Johnson*, (who was desired to put the same into the House by Mr. *George Brook* Brother to the Lord *Cobham*) the effect of it was, that every man which had or could invent any Art or Trade, should for his life monopolize the same to his own use, or he that could add to or refine the same should do the like.

Mr. *Fettiplace* shewed, That the Bill was unprofitable and not good for divers reasons. First it was too general, because it speaketh as well of Arts invented, as to be invented. Secondly, the Bill sheweth not that they will be profitable for the Commonwealth; whatsoever they be, this Bill alloweth. For divers Arts have been devised in *London*, that that shall be wrought with one man, which would not heretofore be done with forty: This is unprofitable, because it setteth not the poor and many hands on work. Thirdly, it will breed confusion; because if but a little addition be made by another, a new Licence is granted to this man; And now if to that addition another shall add, that will be *in infinitum*, and so confusion. Whereupon he concluded, that he for his part thought fit the Bill should be quash'd, and divers cried, Away with it.

Another said, I wish that the Bill might be read again and considered because we allowed of these kind of Patents once this Parliament, namely in the Licence for making Tinn by Mills out of the Old Rubbish in *Cornwall*, upon the motion of Sir *Walter Raleigh*; And this Bill desireth no more in effect. Next for the incertainty, upon the consideration of the Bill by some few Committees the same might be amended. Besides, he that hath invented any Art or Trade, it is reason he should have some privilege, because it would be an encouragement to others, and *Nemo nascitur Artifex*. No man would come to that perfection upon the first knowledge of it, as being taught by the first Inventor for a season. Also the proposition of the Gentleman that last spake, did not hold in all Arts, that it is unpro-

fitable that the work of many should be done by one; for it is profitable for the Commonwealth, if Water may be brought to ever mans House for ten shillings value, where it would not be done with ten pound cost, as by the Water-work device in *London*. So of Iron Mills the *Low-Countries*, and of the Corn Mills upon the *Thames*. So of shooting and charging of Ordnance and Fire-works and the like. And generally of all Arts, Trades and Sciences which cannot be done by Poor but by Persons judicious and of Skill, and those that have a more natural inclination to come to perfection in these things than every base Beggar. For his last proposition, I say that *Non est confusio in certa scientia, &c.*

Mr *Snigg* said, The Author of the Bill perhaps was a Sugarman, for he hath the word *Refiners* of Arts, &c.

So it was put to the question for to be read the second time; And all said No. But when the Speaker said, all those that will have the Bill read the second time say I, Sir *Richard Knightly* said No aloud; at which the House laughed, and not one said I, I.

Three Bills had each of them one reading; of which the last being the Bill touching the recovering of certain surrounded grounds in the County of *Norfolk* was read the third time, and passed upon the question.

Mr Serjeant *Harries* a Committee in the Bill touching Silk-Weavers, brought in the Bill with some Amendments.

The Amendments in the Bill touching Silk-Weavers being twice read, the Bill was Ordered to be ingrossed.

The Bill that the Land of *Edward Lucas* Gentleman shall be lyable to the payment of certain Legacies, was read the second time, and committed unto Sir *John Cutts*, Sir *John Cotton*, Mr Attorney of the Wards and others, who were appointed to meet to Morrow in the Afternoon in the Court of Wards at two of the Clock.

Two Bills also had each of them one reading; of which the second being the Bill for the Assurance of the Joynture of *Rachell* Wife of *Edward Nevill* of *Birling* in the County of *Kent*, was read the third time and passed upon the question.

Mr Serjeant *Telverton* and Mr Dr *Swale* coming from their Lordships, declared that their Lordships are ready for Conference according to the former appointment in the Bill concerning Letters Patents; as also touching a Paper delivered unto their Lordships containing an Information against Mr *Belgrave* a Member of this House in the Court of Star-Chamber.

It is Ordered that the Copy of Information exhibited into the Star-Chamber against Mr *Belgrave* a Member of this House, which was sent down from the Lords unto this House this day, shall be forthwith examined with the Record, and amended where it shall differ, and be certified under the Clerks hand of the Star-Chamber

ber to be a true Copy. *Vide* concerning this business of Mr *Belgrave* on *Thursday* the third day, *Monday* the 7th day, *Tuesday* the 8th day and on *Thursday* the 10th day of this instant *December* foregoing, as also on *December* the 16th *Wednesday* ensuing.

Four Bills were sent up to the Lords by Mr Secretary *Cecill* and others; of which one was the Bill for recovering of certain surrounded Grounds in the County of *Norfolk*, &c.

Mr *Browne* a Committee in the Bill touching repairing of the Bridges near *Carlisle*, brought in the Bill with some Amendments.

The Amendments in the Bill touching the repairing of the Bridges near *Carlisle* were twice read, and the Bill was Ordered to be ingrossed.

The Additions in the Bill touching the Affize of Fuel were twice read, and with the Bill Ordered to be ingrossed.

Two Bills also had each of them one reading; of which the second being the Bill for relief of Souldiers and Mariners was read the second time, and committed unto Mr Secretary *Cecill*, Sir *Francis Hastings* and others, who were appointed to meet at the time and place before appointed for relief of the poor.

Thus far of these foregoing passages out of the Original Journal-Book of the House of Commons; Now follow some remembrances of that which was agitated at a certain Committee of both Houses in the Painted Chamber this Forenoon out of a Private Journal.

The Lords Committees (who were appointed to have Conference with the Committees of the House of Commons in the Bill touching Letters Patents, &c.) being set in the Painted Chamber, Mr Secretary *Cecill* with the residue of the Committees of the said House repaired unto them, where Mr Secretary going to the Upper end of the Table spake to this effect That if their Lordships had already concluded what to do in the Bill for Patents, then they had no Commission to proceed; and if they had altered the Bill in any Point with Amendments, they also had no Commission: But if their Lordships had done neither, but only were desirous to be resolved of any doubt which they in their wisdoms conceived, and would willingly thereabout confer with them, they would most willingly accomplish their Lordships desire, for they had sufficient warrant from the House.

The Lord *Buckhurst* Lord Treasurer after a little whispering with the Lords together, answered, That he would not have us preoccupate their judgments with a Speech both strange, improper and preposterous, with other words, &c.

Mr Secretary said, He could not answer his Lordship nor the rest without Order from the other Committees; And therefore prayed they might confer together: which was granted. So they went forth into an outward room and there conferred what Speech or Answer to make; and so after they returned again, and Mr Secretary said, My Lords, We of the Lower House are very

sorry your Lordships should any way conceive otherwise than well of our Speech and good intent: Your Lordships termed our Speech (for so I may say, because I spake in the name and behalf of the Committees) strange, improper and preposterous. My Lords, I think it not strange, for it is not unknown of your Lordships that we be all Members of one Body, and as we cannot be without your Lordships, so your Lordships cannot be without us; And when we are desirous, it pleaseth your Lordships out of your favour to vouchsafe us a Conference; so when you be willing, it pleaseth us out of the desire we have to be observant, to yield thereunto: Neither have your Lordships been more forward to gratify us with your favours, than we of the Lower House have been willing to further your Honours desires with our best furtherance. And therefore my Lords, it is no strange thing to have a Conference, neither our Speech strange because it tended to draw us to some particular point of Conference. For the Epithet *improper*, I am to tell your Lordships, that I delivered no more than I was commanded, nor no less than I was required. And therefore by your Lordships favour, no Cause it should deserve the title of *impropriety*. And I take it, by your Lordships favour, it was not *preposterous*: for my Lords, the first matter we took should be handled, was the doubts which we imagined your Lordships had conceived of the Bill; and if your Lordships had ought else conceived, I thought fit to shew your Lordships that we then came without Commission. So my Lords, I hope I have made it appear, that the Speech was neither *strange*, *improper* nor *preposterous*. But we of the Lower House who be here Committees, do beseech your Lordships that you would not conceive otherwise of us than we deserve; And your Lordships shall find us ever ready in all dutiful Service as coadjuting Members of one United Body the House of Parliament. So after withdrawing of themselves a little from the Table, the Lords hummed and whispered, and at length calling us,

The Lord Treasurer said, The Lords were satisfied with our Answer, and very glad they found us so conformable; by which they doubted not but we should well agree for the Conference, whereby the Bill might have the better passage.

Mr Secretary Answered, That he was very glad their Lordships did conceive aright of them; And that the Committees, because they were many and would not be troublesome with multiplicity of Speech, had chosen for their Speakers to satisfy their Honours, Mr *Bacon*, Mr Serjeant *Harris*, Mr *Francis Moore*, Mr *Henry Mountague*, Mr *Philipps* and Mr *Boice*. So the Lords called Mr Attorney General for them, who having spoken a while on the one side, and been Answered by Serjeant *Harris* on the other side, the Conference or meeting of the said Committees brake up imperfectly, and was further deferred till the next Morning.

The Passages of this Afternoon do now follow

low out of the Original Journal-Book of the House of Commons in manner and form following.

Post Meridiem.

Three Bills had each of them one reading ; of which the second being the Bill to prevent Perjury and Subornation of Perjury was read the third time, and passed upon the question.

Mr Mountague a Committee in the Bill touching Souldiers and others, certified in the Bill with some Amendments, whereof he prayed the reading.

The Amendments in the Bill for relief of Souldiers and Mariners were twice read, and the Bill was Ordered to be Ingrossed.

The Bill touching Policies of Assurances used amongst Merchants was read the second time, and committed unto Sir Walter Raleigh, Mr Doctor Cesar, Sir Francis Bacon, Sir Stephen Soame and others; And the Bill was delivered to Sir Francis Bacon, who with the rest was appointed to meet to Morrow in the Afternoon in the Court of Wards at two of the Clock.

The Bill touching Hat-Makers was read the third time, and upon the question and division of the House passed, with the Yea ninety three, and with the No forty six.

John Takefley Esq; returned into this present Parliament one of the Burgesses for the Town of Cambridge, is for his necessary affairs licensed by Mr. Speaker to depart.

Upon Motion made by Serjeant Harris, that Anthony Curwin Servant Attendant upon William Huddleston Esq; a Member of this House, hath been Arrested into the Counter in the Poultrey in London, at the Suit of one Matthew a Chyrurgeon; It is Ordered, that the Serjeant that made the said Arrest and the said Matthew should be sent for to answer in this House for their said contempt, as appertaineth.

Mr Adam and Listers Council are appointed to be heard to Morrow.

On Saturday the 12th day of December the Bill to avoid the stealing of Cattle was read the second time and committed unto Sir George Moore, Mr. Maynard, Mr. Brown and others, who were appointed to meet upon Tuesday next in the Middle-Temple Hall at two of the Clock in the Afternoon.

Two Bills had each of them one reading ; of which the second being the Bill for Confirmation of the Mannor of Sagebury aliàs Sadgbury unto John Harris and Samuel Sandys Gent. was read the third time and passed upon the question.

Some part of this Forenoons Passages doth now next follow out of private Journals.

An Act for redress of certain abuses used in Painting was read the third time.

It was moved by Sir George Moore and some others, that the Bill might be let slip, and the Cause refer'd to the Lord Mayor of London, be-

cause it concerned a Controversie between the Painters and Plaisterers of London.

To which Mr Davies Answered, That the last Parliament this Bill should have past this House, but it was refer'd as is now desired, and Bonds made by the Plaisterers for performance of the Orders to be set down by the Lord Mayor ; yet all will do no good : Wherefore, Mr Speaker, I think it good to be put to the question.

Sir Stephen Soame desired that my Lord Mayor might not be troubled with them, &c. but that it might be put to the question, and it seemed likely to go against the Painters. But Mr Heyward Townsend as it was putting to the question stood up, and shewed, that in the Statute of 25 Ed. 3. Cap. 3. Plaisterers were not then so called but Dawbers and Mudwall-Makers, who had for their Wages by the day three pence, and their Knaves three half pence (for so was his Labourer called) they so continued till King Henry the Seventh's time, who brought into England with him out of France certain men that used Plaister of Paris about the Kings Sieling and Walls, whose Statute Labourers these Dawbers were. These Statute Labourers learned in short time the use of Plaister of Paris, and did it for the King, who increased to be many : then suing to the King for his Favour to Incorporate them, he did fulfil their desire, Incorporating them by the name of Gipsarium, which was for Clay and Mud, aliàs Morter-Makers, An. 16 Hen. 7. being no Freeman for all their Corporation, they obtained the Kings Letters in their favour to Sir William Remmington the Lord Mayor of London and the Aldermen, to allow them Freeman, which was granted ; at what time came in four of them paying ten shillings a piece for their Freedoms : And in three years after that manner came in to the number of twenty, but they paid four pound a piece for their Freedom. They renewed their Patent in King Henry the Eighth's time, and called themselves Plaisterers aliàs Morter-Makers, for the use of Loam and Lyme. They made an humble Petition and Supplication after this to Sir John Munday then Lord Mayor and to the Aldermen, to grant them Ordinances for the better Rule and Government of their Company, in these words, viz. We the good Folks of Plaisterers in London of Plaister and Loam of the said City, for redress of certain abuses of Lath-Plaister and Loam wrought in the said Craft, &c. and had allowed unto them search for their Company for the use of Lath, Loam and Lyme. In all their Corporations at no time had they the word Colours, neither yet in their Ordinances. For all they were incorporated by the name of Plaisterers, yet in all King Henry the Eighth's time they were called Dawbers, as appears in the Accompts of the Chamber of London, paid to such and such Dawbers for so many days so much, and to their Labourers so much. The Plaisterers never laid any Colour upon any of the Kings Houses, nor in the Sheriffs of London, but this Year. They wore no Livery or Cloathing in the seventeenth
of

of King *Henry* the Eighth. They have been suffered to lay Alehouse Colours as red Lead and Oaker with such like, and now intrude themselves to all Colours; Thus they take not only their own work but Painting also, and leave nothing to do for the Painter. Painters and Stainers were two several Companies in King *Edward* the Thirds time; one for Painting of Posts and all Timber-Work, and the other for Staining and Painting of Cloth of great continuance. The two several Companies were joined both into one by their own consents, and by the consents of the Lord Mayor and Court of Aldermen of the City the nineteenth year of King *Edward* the Fourth. The Painters had Orders allowed them for the use of Oyl and Colours, especially named in King *Henry* the Fourths time, from the Lord Mayor and City. Painters cannot work without Colours, their only mixture being Oyl and Size, which the Plaisterers do now usurp and intrude into. Painters have her Majesties Letters Patents dated the twenty fourth year of *Elizabeth*, forbidding any Artificer the use of Colours and Oyl or Size, after the manner of Painting, but only such as have been or shall be Apprentice, namely with a Painter, seven years at the least. And where the Plaisterers object, that the Painters do abridge other Companies of their Colours, that is most apparently untrue; for Goldsmiths do use Colours, but not after the manner of Painting, and work without Oyl or size. Book Binders use Colours, but neither with Oyl or Size. So Cutlers use Varnishing and Gilding; So Glaziers use Colours with nealing in the Oven; Bricklayers use Colours, but neither with Oyl or Size; And Joiners do use Varnish. Workmanship and Skill is the gift of God, and not one in ten proveth a Workman; yet it is requisite, that all such as have been brought up all the dayes of their Life in a Trade, and cannot attain to the Excellency of Skill that is required, should live by the baser part of their Science, when they cannot attain the better, which is in working in Oyl and Size those Flats, Posts and Windows, &c. If Plaisterers may be suffered to Paint, Workmanship in Painting will decay; for no Workman will keep an Apprentice four or five years to practise and not able to get one penny, unless he might now get something towards his Meat and Drink in laying of Oyl Colours, as on Posts. And experience teacheth us now, that among the number of three hundred there are not twelve sufficient Workmen to be found in *London*. Yet one of these (such was his Poverty) was fain for his relief to Wife and Children to wear upon the Lord Mayors Day a Blue Gown and red Cap, and to carry a Torch (he being fifty years old.) One man will lay and paint more Colours in a day than ten men can grind, which grinding of Colours shall be the relief of two or three hundred poor men, that cannot attain Workmanship, and that is taken away by Plaisterers, and the poor men both Painters, their Wives and Children go a begging for want of

work. Besides, Painting of Cloths is decayed, and not an hundred Yards of new Painted Cloth made in a Year here by reason of so much Painted Flanders pieces brought from thence; so as the Painters have nothing to live on, but laying of Oyl Colours on Posts, Windows, &c. It is a curious Art and requireth a good Eye, and a steadfast Hand, which the infirmity of Age decayeth quickly, and then Painters beg. Plaisterers take money from the Highest Personages to the meanest Cottagers, whose Walls must needs be made: Painters take money but of a few for their delight. Painters give to the Plaisterers six kind of Colours commonly used (as the Bill importeth) to be laid with Size and not with Oyl; and for every twenty shillings earned with Oyl Colours, there is ten pound earned with Size Colours, being every mans money. These Walls thus curiously painted in former Ages, the Arms so Artificially drawn, the Imagry so perfectly done, do witness our Forefathers care in cherishing this Art of Painting, &c. So I think the Bill very reasonable and fit to pass; And thereupon the Bill passed upon the question.

The residue of this Forenoons Passages do hereafter follow out of the Original Journal-Book of the House of Commons.

Two Bills had each of them one reading; of which the first touching garbling of Spices was read the third time, and passed upon the question and division of the House, with the difference of fifty four Voices, *viz.* with the Yea ninety five; with the No forty one.

M^r Attorney General and M^r Doctor *Carew* coming from the Lords unto this House do signify, that their Lordships are ready for Conference with the Committees of this House appointed to have Conference with their said Lordships in the Bill touching Confirmation of Grants and Letters Patents, &c.

The four Bills last past were sent up to the Lords by M^r Secretary *Cecil* and others.

The Bill touching the Prisoners in *Ludgate* was read the second time, and committed unto all the Queens Learned Council being of this House, the Master of Requests, Sir *Stephen Soame*, M^r *Philips* and others, who were appointed to meet this Afternoon at the Committee Chamber of this House at two of the Clock in the Afternoon.

The Bill to redress misemployment of Lands, Goods and Stocks of money heretofore given to certain charitable uses, was upon the second reading committed to the former Committees (who were appointed on *Saturday* the 28th day of *November* foregoing) and unto Sir *Edward Stanhop*, M^r *Maynard*, M^r *Harris* and others, who were appointed to meet in the Committee Chamber of this House at two of the Clock this Afternoon.

M^r *Brown* a Committee in the Bill against transportation of Iron Ordnance declared the travel of the Committees, and delivered in the Bill with some Amendments.

The Amendments in the Bill against transportation of Ordnance, &c. was twice read, and the Bill was Ordered to be ingrossed.

Sir Francis Darcie a Committee in the Bill touching relief of Maimed Souldiers and Mariners, declared the Addition of some few words unto the same by the Committees, viz. [do not exceed or be under] and in another place these words, viz. [and be under] which being twice read the Bill was Ordered to be ingrossed.

Post Meridiem.

The Bill touching the establishing of the remainder of certain Lands unto *Kettlebie* was read the second time and committed unto Mr Comptroller, Mr Secretary *Cecill* and others, who were appointed to meet in the Court of Wards upon Monday next in the Morning at eight of the Clock.

The Bill for the more diligent coming to Church on the Sunday, was read the third time.

To which several Speeches were made as followeth.

Mr Bond said, This Bill as it is now ingrossed, much differeth from the first which was here presented, which I the better like of. Notwithstanding, in my opinion, the Bill is altogether needless, and divers reasons move me to think it both inconvenient and unnecessary. Every evil in a State is not to be met with in a Law; and as it is in natural, so it is in politick Bodies, that sometimes the remedy is worse than the disease. And therefore particular Laws against particular offences induce novelty, and in novelty contempt. *Hippodamus Milesius* offered to reward any man bountifully which could invent a good and new Law: But *Aristotle* condemneth that Policy, and the best Orator *Demosthenes* condemneth that State which will admit of any Innovation, although it be good in it self. If this Bill passeth, there will be two imputations happen to the State, which Wisdom wills us both to foresee and shun: The first an Infamy to our Ministers, that our Adversaries may say, this is the fruit of your labour to have Preached away your Audience out of the Church; The second no less but rather a greater imputation upon our Archbishops and other Ecclesiastical Governours, that they be either remiss in their Authority, or else that their Prerogative hath not so much power as a twelve peny Fine. And doubtless these imputations cannot be avoided, if we give the Jesuits such head, scope and comfort as they in their Writings do greedily apprehend. I do, Mr Speaker, conceive great difference betwixt *primo Eliz.* when time was, and this Law of 44 *Eliz.* as now it is. Then the People were newly taken from Massing and Superstition; Now they are planted in truth, and rooted in Religion. The light did then scarce appear unto them, which now shineth with glorious Beams upon our Teachers and Ecclesiastical Judges. And as the

malice of the Adversary was only against them in the beginning, so is it stretcht forth to put down, and flameth like a consuming Fire to devour our Doctrine. These reasons aforesaid were the Ground-work of *Orosius's* Foundation in his Epistle unto her Majesty, to give advantage to speak evil. I will give but a reason or two more and so an end. Suppose that a neglecter of Church-Service comes to the Sessions there to be Examined, alledging an excuse; many busineses so concern the doer not to be known, that to speak truth would be his undoing, and to speak untruth would be a wound unto his Conscience; And to say his busines, were a meer mockery; and to say an untruth, an apparent danger. If this Law may stand for a Law, methinks I foresee what breach of Charity will happen. Say there be forty in a Town absent, the Church-Warden presents some and not others: It will be objected unto him, wherefore should I be presented and not he? why my Wife, my Son, my Servant, my Friend, not his, &c. Will not this be a great breach to Unity and Peace? Just prosecution will be infinitely cumbersome, and partial connivance subject to quarrel. Notwithstanding this Statute we leave power to the Ecclesiastical Judge whose course is to proceed to Excommunication, and so an *Excommunicato capiendo* must be had. This is as great a charge as the Indictment in the Statute of *primo*. In this Statute a Witness or two must be brought to the Sessions, he must be presented to the Grand Jury and so Indicted; This will cost five shillings, a noble or ten shillings, which is as much as the charge in the first Statute. So because this Bill is slanderous to the Clergy, slanderous to the State, repugnant to Charity and *Crambe recocta*, I humbly pray it may receive the like entertainment the former Bill had, viz. to be rejected.

Sir Francis Hastings said, I shall speak upon great disadvantage; I perceive this Member of our House hath taken studied pains to disturb the passage of this Bill. To which I shall not so well answer, because I shall not so well carry away the particulars of this politick, but not Religious discourse. If it be Religion to be obedient at pleasure, if I could be Zealous to day, and cold to Morrow, I could subscribe to all that he hath said. We cannot do a more acceptable thing to God or a more dutiful service to the State, than bring men to fear God. Religion and Policy may well stand together: But as that policy is most detestable which hath not Religion to warrant it, so is that Religion most happy which hath policy to back and maintain it. I know the Jesuits and Priests be out of square, and be at a Jarr amongst themselves: I pray God it be not to make a breach among us, who be yet in Unity. Wit well applyed is a profitable thing; but ill applied, dangerous, in whomsoever doth abuse it. There is no man of sense and Religion, but thinketh that he is far from Religion (pointing at Mr Bond) that made the Speech. First, he said it would be an imputation to our Ministers. That

That Speech was both absurd in Judgment and slanderous in uttering; as though by the Ministers of the word we were loth to hear of our Sins or reconcile our selves to God. The second, That it was an imputation on Archbishops, Bishops, &c. I am so far from blaming their Government, that I renounce that Position. I am very sorry, that the strength of their Authority stretcheth not so far as I could wish it in this point. But methinks this Law should rather be a credit to the Ministry, that now we having gone to Church these forty three Years our selves, are so fervent in Religion, that we desire also that others may do the like. I beseech you give me leave to wipe away a grievance, which it seems the Gentleman that last spake imputeth unto me. He hath made a Protestation, that he is no Papist: I appeal to you all if I said he was. And I say he is no Puritan if he be not a Papist; for if there be ever a Puritan in *England*, it is a Papist. I learned of Dr *Humfrey* who was sometimes my Tutor, a division of four sorts of Puritans; First, The Catholick which holds that a man cannot sin after Baptism; Secondly, The Papist, which is such a Merit-monger, that he would not only save himself by his own Merits, but by the Merits of others also; A third sort are the Brownists or Family of Love, a Sect too well known in *England*, I would they had never so been; The fourth and last sort are your Evangelical Puritans, which insist wholly upon Scriptures as upon a sure ground; And of these I would we had many more than we now have.

It was shewed by Dr *Bennet* upon occasion of Speech of the multitude of Recusants, that there were thirteen hundred, nay fifteen hundred Recusants in *Yorkshire*, which he vouched upon his Credit were presented both in the Ecclesiastical Court and before the Council at *York*.

So after divers Speeches and Arguments it was put to the question, whether the Bill should be ingrossed, and the greater number could not be discerned. Whereupon Sir *Robert Wroth* shewed, that he had a Proviso ready ingrossed, the substance whereof was, That if any man came eight times a Year to the Church, and said the usual Divine-Service twice every *Sunday* and Holyday in his House, with his whole Family, that should be a sufficient dispensation. This was utterly disliked: yet divers which were desirous to overthrow the Bill went forth with the Proviso, because they would have it joined with the Bill to overthrow it. Whereupon the House was divided, and upon division it appeared thus, The I, I, I were a hundred twenty six, the No were eighty five. So the Proviso past. Then it was put to the Question for the Bill, but then divers reasons were shewed, Mr *Bonds* two reasons of prejudice to Ministers and the Clergy, and the danger by breach of Charity; That the Information was a thing contrary to *Magna Charta*, That there might be a Conviction without enquiry.

Sir *Walter Raleigh* shewed, that all the Church-Wardens of every Shire must come to the Assizes to give Information to the Grand Jury; say then there be a hundred and twenty Parishes in a Shire, there must now come extraordinary two hundred and forty Church-Wardens: And say that but two in a Parish offend in a quarter of a Year, that makes four hundred and eighty persons with the Offenders to appear; what great multitudes this will bring together, what quarrelling and danger may happen, besides giving Authority to a mean Church-Warden, how prejudicial this may be, &c. with divers other reasons against it. As also some Ambiguities and Equivocations therein; The Proviso newly added being a plain Toleration from coming to Church; and that the Parson could not present or constrain any if they said Service at home. So it was put to the question thrice together, and because the truth could not be discerned, the House was again divided, and the I, I, I went forth and were a hundred and five, and the Noes within a hundred and six. So they got it by one Voice, and the I, I, I lost; but then the I, I, I said they had Mr Speakers, which would make it even. And then it grew to a question, whether he had a Voice. Sir *Edward Hobbie* who was of the I, I, I side, said, that when her Majesty had given us leave to chuse our Speaker, she gave us leave to chuse one out of our own number and not a Stranger, a Citizen of *London* and a Member; and therefore he hath a Voice. To which it was answered by Sir *Walter Raleigh*, and confirmed by the Speaker himself, that he was foreclosed of his Voice by taking that place, which it had pleased them to impose upon him; and that he was to be indifferent for both Parties: And withal shewed, that by the Order of the House the Bill was lost.

Mr *Bowyer*, Secretary to the old Lord Treasurer *Buckhurst*, said, Mr Speaker, I think it not lost, for there hath been foul and great abuse offered in this matter. A Gentleman that would willingly go forth according to his Conscience, was pulled back: Though I much reverence my Masters of the *Temple*, and am bound to our Benchers of the *Middle-Temple*, yet if it will please the House and you Mr Speaker to command me to name him, I will. The greatest Voice said no, yet Mr Secretary *Cecill* willed him to name him, and he said, it was Mr *Dale* of the *Middle-Temple*.

Sir *Walter Raleigh* said, why if it please you, it is a small matter to pull one by the Sleeve, for so have I done my self oftentimes. (And great loud Speech, and stir there was in the House.)

Mr Comptroller (after silence) said, We have been often troubled by a Physician (meaning Mr *Bonds*) and he hath been spoken against. He troubled us with *Aristotle* and other Books; if he had stayed there, it had been well: but I think we had need of Physicians to stay our Heads and cool our heats and humours, not fitting a Court of Parliament; for it is a most intolerable

tolerable disorder. I think the offence is a hainous offence, both against God, and this Assembly. For the first, in that every man is to go according to his Conscience and not by compulsion; And for the other Gentleman Sir *Walter Raleigh*, that said he had often done the like, I think he may be ashamed of it; for large is his Conscience, if in a matter of so great consequence he will be drawn either forwards or backwards by the Sleeve; And I think it so hainous, that he deserves to Answer it at the Bar (meaning Mr *Dale*, but because Sir *Walter Raleigh* was last named, it was taken to be meant of him.)

Mr Secretary *Cecill* said, I am sorry to see this Disorder, and little do you know how for disorder the Parliament is taxed, I am sorry I cannot say slandered. I had hoped as this Parliament began gravely and with Judgment, so we should have ended modestly, and at least with discretion. I protest I have a Libel in my Pocket against the Proceedings of this Parliament. The offence which the Gentleman that last spake, spoke of, I confess is great and punishable; And this I wish may be inflicted on him, that he whose Voice may be drawn either forwards or backwards by the Sleeve, like a Dog in a string, may be no more of this House; And I wish for his Credits sake he would not. But that it should be so great to be called to the Bar, I see no reason, neither do I know why any in this House should speak so imperiously as to have a Gentleman of his place and quality (pointing to Sir *Walter Raleigh*) called to the Bar, I see no reason for it: For the matter it self, the Noes were a hundred and six, and the Yes, I, I, a hundred and five, the Speaker hath no Voice; and though I am sorry to say it, yet I must needs confess lost it is, and farewell it.

There was another Gentleman, a No, pulled out as well as the other was kept in, and therefore it had happened even howsoever; for Mr *Edward Jones* and Mr *Barker* pulled out *Lyonell Duckett*.

The residue of this Afternoons Passages and part of the next day do now next follow out of the Original Journal-Book of the House of Commons it self, viz.

Mr Doctor *Carew* and Mr Doctor *Hone* did bring from the Lords two Bills passed with their Lordships; of which the first was the Bill concerning Captains, Souldiers, Mariners and other the Queens Services in the Wars.

Mr Serjeant *Yelverton* and Mr Doctor *Hone* being come from the Lords do declare, that their Lordships do desire another Conference between the Committees of this House and the Committees of their Lordships, which they do appoint to be upon Monday next at the fore-appointed hour and place; And that the former Committees (who were appointed on Thursday the 12th day of November foregoing) or others whom this House shall thereunto appoint, may have Authority from the House to conclude and re-

solve upon the Bill lately passed from this House unto their Lordships, viz. the Bill for Confirmation of Grants and Letters Patents, &c. which was by the House Ordered and agreed unto accordingly.

On Monday the 14th day of December, Two Bills had each of them one reading; of which the second being the Bill touching Cosening Bankrupts was read the first time, and upon the question and division of the House Ordered not to be read any more, with the Yea thirty five, with the No forty five.

Two Bills also had each of them one reading; of which the second being the Bill for the draining of certain surrounded grounds, &c. had its second reading, and was delivered to the former Committees (who were appointed on Tuesday the first day of this instant December foregoing) to meet in the Exchequer Chamber this Afternoon at two of the Clock.

The Bill touching Denizens, (after some questions and Arguments whether *Matthew de Quester* should pass and be inserted among the rest) being thrice read, it was passed upon the question.

Mr *Moore* made Report of the meeting of the Committees in the Bill for continuance, repeal and explanation of certain Statutes, and delivered in the Bill with some Additions and Provisoos.

The Amendments, Additions and Provisoos in the Bill for continuance, repeal and explanation of Statutes was twice read.

Provisoos for *Dover-Haven* in the Bill for continuance and repeal of Statutes were twice read, and committed unto Mr Comptroller, Sir *Walter Raleigh*, Mr *Snigg*, Sir *John Lewson* and others.

Mr *Francis Bacon* made Report of the travel of the Committees in the Bill touching Policies of Assurances, and brought in the Bill with some Amendments, and prayed the reading thereof.

The Amendments in the Bill touching Policies of Assurances used amongst Merchants were twice read, and with the Bill Ordered to be ingrossed.

Mr Doctor *Swale* and Mr *Coppin* did bring from the Lords the two Bills formerly passed in this House, the one Intituled An Act touching Orders in the Exchequer with a Proviso added to the same by their Lordships likewise passed with the Lords, and another touching the Jointure of *Lucie Countess of Bedford* with certain Amendments and two Provisoos added.

Three Bills had each of them one reading; of which the first being the Bill for the Repeal of An Act made in the fourteenth Year of her Majesties Reign touching the reforming the length of Kerfies was read the second time, and committed unto Sir *George Moore*, Sir *Edward Moore*, Mr *Kingsmill*, Mr *Popham*, the Burgesses of Clothing Towns, and others, who were appointed to meet this Afternoon at two of the

the Clock in the Exchequer Court.

The Two Bills last passed were sent to the Lords by Mr Secretary *Cecill* and others the Committees appointed to have Conference with the Lords this Afternoon.

Mr *Philipps*, one of the Committees in the Bill against misemploying of Lands, Stocks and Stores given to Charitable Uses, brought in the Bill with some Amendments added by the Committees, of which he prayeth the reading.

The Amendments in the Bill against misemploying of Lands, Stocks and Stores of Money given to Charitable Uses were twice read, and the Bill Ordered to be ingrossed.

The Proviso that came from the Lords in the Bill touching Orders in the Court of Exchequer was twice read, and committed presently to be considered of by Mr Solicitor and Mr *Winch* in the Committee Chamber of this House.

The Bill for the repairing of two Bridges near the City of *Carlisle* in the County of *Cumberland*, was read the third time and passed upon the question.

Two Bills also had each of them their third reading, and passed upon the question; of which the first was the Bill concerning the Assize of Fuel.

Thus far out of the Original Journal-Book of the House of Commons; now follow the passages touching the Arrest of a Servant of a Member of the same, out of a private Journal.

Mr *Davies* moved the House and shewed, that a Servant of Mr. *Huddleston* (Knight for *Cumberland*) being some twelve Months since hurt in the Hand, went unto one *Matthews* a Chirurgeon by *Fleet-Bridge*, who for ten pounds undertook the Cure; the man gave him a Bill of ten pound for the said Cure, which he the said *Matthews* could not perform without leaving a great scar, and withal a little lameness in his hand: notwithstanding he paid the Chirurgeon eight pound. But upon what suggestion I know not, *Matthews* hath sued Mr. *Huddleston's* man for the whole ten pound, and Arrested him upon an Execution into the Counter. The man told him he was Mr. *Huddlestons* Servant, and that his Master was a Member of this House and a Knight of a Shire, and that he was thereby privileged from Arrests, and wisht to be discharged: but *Matthews* and the Serjeant answered him, they cared not for his Master nor for the privilege, and said that he was not privileged from an Execution. And so being carried to the Counter, he told the like there to the Clerks, who affirmed likewise that privileges could not extend to Executions, and therefore would not discharge him. And therefore I pray in the behalf of the Gentleman, that both *Matthews* and the Clerks and Serjeant may be sent for. And so they were Ordered to appear to Morrow in the Afternoon.

The Bill touching Captains, Souldiers and Mariners, and other her Majesties Services in the Wars, was read the first time.

Post Meridiem.

Sir *Robert Wroth*, a Committee in the Bill for Relief of the Poor, brought in the Bill with the Amendments, and a Proviso added by the Committees.

The Proviso and Amendments in the Bill for the relief of the Poor, were twice read, and the Bill was Ordered to be ingrossed.

Two Bills had each of them their third reading; of which the second being the Bill for the confirming the Authority and Government of the Mayor, Sheriffs and Aldermen of *London* within *St Katherine's Christ Church*, was upon the question of Amendments in the Bill and the division of the House dashed with the difference of forty three voices, viz. with the Yea forty nine, and with the No eighty six.

The Bill touching matters in Policies of Assurances was read the third time, and passed upon the question.

Mr. *Wingfield*, a Committee in the Bill touching the draining of surrounded Grounds in the Counties of *Cambridge*, *Huntington*, *Northampton*, *Suffolk* and *Norfolk*, &c. brought in the Bill with some Amendments and a Proviso added by the Committees, and prayed the reading thereof.

The Amendments and Proviso in the Bill touching draining of surrounded Grounds in the Counties of *Cambridge*, *Huntington*, *Northampton*, &c. were twice read, and the Bill was Ordered to be ingrossed.

The Bill for the more peaceable Government of the Counties of *Cumberland*, *Northumberland* and *Westmerland* with the Bishoprick of *Durham* was read the second time, and committed unto all the Privy Council being Members of this House, the Knights of *Cumberland*, *Northumberland* and *Westmerland*, and others, who were appointed to meet to Morrow in the Morning in the Committee Chamber of this House.

On Tuesday the 15th day of December, Four Bills had each of them one reading; of which the last being the Bill for avoiding of idleness and setting the Poor on work, was read the second time, and upon the question for committing or ingrossing dashed.

Mr. Dr. *Stanhop* and Mr. Dr. *Hone* did bring from the Lords a Bill that passed in this House intituled An Act for the making of an Harbour or Key on the North parts of *Devon* in the River of *Severn*, for the safeguard of men and Shipping, &c. with the Amendment of one word to be put out, viz. the word *Free*.

The Amendment brought down from the Lords in the Bill touching a Harbour or Key to be made, &c. was thrice read and assented unto by the House, and so passed upon the question.

Two Bills also had each of them one reading; of which the last being the Bill for the relief of *Theophilus Adams*, &c. was read the third time, and

and after Council heard on all parts, dashed upon the question.

Sir *Edward Hobbie* a Committee in the Bill touching *Kettlebie* and *Kettlebie*, shewed the travel of the Committees in framing of a new Bill by consent of Parties, and so delivered in both the old and new.

The Bill for ending and appeasing of all Controversies, matters and debates between *Francis Kettlebie* on the one part, and *Andrew Kettlebie* and *Jane* his Wife of the other part, was twice read, and committed unto Mr Solicitor, Sir *Edward Hobbie*, Sir *Francis Hastings*, Sir *Edward Stafford* and others, who were appointed to meet and consider presently in the Committee Chamber of this House.

The Bill for continuance and Repeal of Statutes was read the third time, and passed upon the question.

After many Arguments and Speeches had for admittance of a Proviso for Mr. *Dormer* in the Bill of Continuance of Statutes, it was upon the question and division of the House dashed with the difference of thirty five Voices, viz. with the Yea a hundred and eleven, and with the No a hundred forty six.

The Amendments added by the Committees in the Bill touching *Kettlebie* and *Kettlebie* were twice read, and with the Bill Ordered to be ingrossed.

Robert Drew Esq; returned one of the Burgeses for the Borough of *Vizes* in the County of *Wilts*, is for his necessary and important affairs licensed by Mr. Speaker to depart.

Post Meridiem.

The Amendments in the Bill touching the true making and working of Woollen-Cloths were twice read, and the Bill was Ordered to be ingrossed.

Anthony Matthew a Chirurgion being brought to the Bar, and charged by Mr. Speaker with his contempt against the Liberties and Priviledges of this House, and the Members of the same, in causing *Anthony Curwin* Servant Attendant upon Mr. *Huddleston* a Member of this House to be Arrested into the Counter in the *Poultry* in *London*, which *Anthony Matthew* being asked what he could alledge for his defence herein, Answered and affirmed that he did not know that the said *Curwin* did belong to any Member of this House, and he most humbly submitting himself unto the censure of this House, was after sundry Speeches therein had, discharged paying his Fees to the Serjeant and Clerk.

And upon the question it was resolved that the said *Anthony Curwin* should have Priviledge.

Sir *John Cutts* a Committee in the Bill touching *Flowerdew* and *Lucas* made Report of the meeting of the Committees, and of some Amendments added by them unto the Bill, which he prayeth may be read.

Two Bills had each of them one reading; of

which the first being the Bill against transportation of Iron Ordnance, &c. was read the third time, and passed upon the question.

The Eight Bills last past were sent up to the Lords by Mr. Secretary *Cecill*, Mr. Comptroller and others.

The Amendments in the Bill touching *Lucas* and *Flowerdew* were thrice read, and with the Bill Ordered to be ingrossed.

Mr *Moore* made Report of sundry meetings and Conferences had by the Committees of this House with the Lords Committees in the Bill touching Confirmation of Grants and Letters Patents, and shewed their Agreements with their said Lordships.

Two Bills lastly had each of them one reading; of which the second being the Bill for the better Government of the Counties of *Cumberland*, *Northumberland*, *Westmerland* and the Bishoprick of *Durham*, was read the third time and passed upon the question.

The Passages of the day foregoing and this instant *Wednesday* following are wholly transcribed out of the Original Journal-Book.

On *Wednesday* the 16th day of *December* the Bill for the changing of the Sirname of *Waller* into the name of *Debden* was read the first time.

Mr *Henshaw* brought in the Bill with some Additions to the same from the Committees, viz. The Bill touching the length of Kerfies.

The Amendments or Additions in the Bill touching the length of Kerfies were twice read, and the Bill was Ordered to be ingrossed.

Eight Bills had each of them their third reading and passed upon the question, and were sent up to the Lords by Mr Secretary *Cecill* and others; of which the two last were, one for the true working of Woollen-Cloths, and the other for the necessary relief of, Souldiers and Mariners.

Mr Serjeant *Telverton* and Mr Doctor *Hone* did bring from the Lords the Act for Confirmation of the Subsidies of the Clergy and the Original Grants under the Archbishops Seal.

The Amendments that came from the Lords in the Bill for Assurance of the Jointure of the Countess of *Bedford*, with the Provisoes annex, were thrice read and passed upon the question.

The Bill for the maintenance of the Navy and encrease of the Navigation was read the first time.

Mr Comptroller, Sir *Walter Raleigh*, Mr Lieutenant of the *Tower* and others, were appointed to have Conference with the Lords touching some Amendments or Addition to be had in the Proviso sent from the Lords unto this House, to the Bill before passed in this House touching Orders to be kept in the Court of Exchequer.

Post Meridiem.

Mr Attorney General and Mr. Doctor *Stanhop* did

did bring from the Lords a Bill before passed in this House, *viz.* touching Confirmation of Grants and Letters Patents, &c. And did declare that the Lords Committees and the Committees appointed by this House have most courteously had sundry Conferences together in the same as one entire body, and agreed upon some Amendments in the same.

The Bill touching Captains, Souldiers and Mariners, and other the Queens Services in the Wars, was read the second time, and upon the question and division of the House Ordered not to be committed, *viz.* with the Yea forty eight, with the No eighty one. And upon another question dashed.

The Bill for the confirmation of the Subsidy of the Clergy was read three times and passed upon the question.

The Proviso added to the Bill for Orders to be had in the Court of Exchequer was thrice read and passed upon the question.

On *Thursday* the 17th day of *December*, Two Bills of no great moment had each of them one reading; of which the first being the Bill touching Printers and Printing was read the second time, and committed unto the Knights and Citizens of *London*, Mr. Lieutenant of the *Tower*, Mr. *Moore* and others, who were appointed to meet to Morrow in the Afternoon in the Exchequer Chamber at two of the Clock.

The Bill for the Explanation of the Statute of Limitation of prescription to Rent-Charges was read the second time and committed unto Mr. Serjeant *Harris*, Mr. *Moore* and others, who were appointed to meet upon *Saturday* next in the Afternoon in the Exchequer Chamber at two of the Clock.

The latter Proviso touching the Bishop of *Carlisle* was read the second time.

The Bill with the Amendments for the Countess of *Bedfords* Jointure, and the Bill with the Proviso added by the Lords touching Orders in the Court of Exchequer were sent to the Lords by Sir *Walter Raleigh* and others.

The Bill touching Fines within antient *Demesne* was read the second time, and committed unto Sir *Walter Raleigh*, Mr. Serjeant *Harris* and others, who were appointed to meet this Afternoon in the Court of Wards at two of the Clock.

Sir *Edward Hobbie* moved, that such Members of this House as shall be sent from this House unto the Lords with the Bill for Confirmation of the Subsidy of the Clergy, may by direction of this House recommend unto their Lordships the Bill against transportation of Iron Ordnance, with request of their Lordships good furtherance to the passage of the same.

The Amendments and Provisoes in the Bill touching Confirmation of Grants made to her Majesty and of Letters Patents from her Majesty to others, were read the third time and passed upon the question.

Sir *Robert Wroth* moved, that an Order may

be set down how the Collection made in this House for relief of the poor may be distributed. Whereupon it is Ordered, that the Souldiers now remaining about the City of *London* shall be reliev'd out of the money Collected of the Members of this House in such sort as to the Officers thereunto appointed shall be thought fit.

The Officers appointed for the distribution of the Collection are Sir *Robert Wroth*, Mr. *Fettiplace*, Mr. *Wade*, Sir *Francis Darcie*, Mr. *Trevor* and Mr. *Brown*; And that they join with the Officers in like case appointed by the Lords.

Two Bills also had each of them one reading; of which the second being the Bill for Explanation of a certain branch of An Act made in the twenty eighth year of her Majesty touching *Recusants*, was read the second time, and committed, but no time or place appointed for the meeting.

Mr. *Belgrave* moved, That whereas an Information hath been Exhibited into the Court of Star-Chamber in the name of Mr. Attorney General against him, upon suggestion that he should offer abuse unto this House, humbly prayed that he may be Ordered and censured by this House, if it shall so fall out and seem fit unto this House upon further Examination to be had therein. *Vide plus post Meridiem.*

Mr. Secretary *Cecill* declared her Majesties Pleasure to be that her Highness purposeth God willing to Dissolve this Assembly of Parliament to Morrow.

Post Meridiem.

The Bill for the changing of the Surname of the *Walters* into the Surname of the *Debdens* was read the second time.

Mr. Serjeant *Telverton* and Mr. Doctor *Hone* did bring from the Lords a Bill intituled An Act for reformation of deceits in Auditors and their Clerks in making untrue particulars. And also they do declare, that whereas the Lords have received some Bills from this House which their Lordships do think to expedite, and shall need perhaps some small Amendments, therefore they do desire that this House may sit somewhat longer than they purposed before, for the final perfecting and consummating of the same.

The Bill for reformation of Deceits in Auditors and their Clerks in making untrue particulars, was read twice, and committed unto Mr. Secretary *Cecill*, Mr. Comptroller, Sir *Walter Raleigh* and others, who were appointed to consider presently in the Court of Wards upon the said Bill. And after some short space of time and Conference therein had, it was after their return into this House thought meet the said Committees should confer with the Lords therein, and afterwards report the same unto this House.

The Bill touching Brewers, &c. was read the second time and committed to the Burgesies of *Southwark*.

The Bill touching unlawful sized Bread, and the

the Bill touching buyers of Butter and Cheefe were each of them read the second time, and committed to the former Committees.

The Bill also against using of false Dice was read the first time.

Mr Attorney General and Mr Dr Hone did bring from the Lords a Bill that before passed this House, intituled An Act touching the draining of certain surrounded Grounds in the Counties of *Huntington, Cambridge, Lincoln, Northampton, Suffolk and Norfolk* amended, and with some additions of more Counties, *viz. Suffex, Essex, Kent* and the Bishoprick of *Durham*.

The Amendments in the Bill touching surrounded Grounds were thrice read, and Ordered upon the question to be inserted into the same, and so the Bill passed.

The draught of an Order touching Mr. *Belgrave* was once read, and committed to be considered of presently in the Committee Chamber by Sir *Edward Stafford*, Mr. *Henry Mountague*, Mr. *Brown*, Mr. *Doyley*, Sir *Francis Darcie*, Sir *John Cotton* and Sir *John Grey*.

The Draught of an Order, considered of and brought in by the Committees, was read, and Ordered by the House upon the question to be entred as the Act of the House, *viz.*

Whereas one *George Belgrave* in the County of *Leicester* Esquire, a Member of this House, hath made complaint of an Information exhibited against him into the Court of Star-Chamber pretending an abuse in the highest matters, as are those which do concern the most Honourable and High Court of Parliament, and hath appealed unto this House for that the Information was filed *sedente Curia*; And whereas the House did refer to the Committees for Returns and Priviledges the Examination of the Cause alledged in the Information, and the substance thereof having been related unto this House; This House thereupon did upon the question again moved and largely debated, pronounce and declare the said *George Belgrave* to be free in their Judgments from any abuse offered to this House, and that he is not to be molested for any such imputation; And have resolved, that this shall be entred as An Act of this House. *Vide de istâ materiâ Dec. 3. Dec. 7. Dec. 8. Dec. 10. & Dec. 11. antea.*

The Bill to restrain Butchers in and about the City of *London* from buying, &c. And the Bill touching Practitioners in Physick were each of them read the second time and committed as afore to the former Committees for Brewers.

The Bill touching the shipping of Coals near *Newcastle* was read the second time, and committed with the rest to the former Committees, but no mention of time or place.

The Bill for redress of abuses in taking of Pawns and the appointing of a Lumbard was read the second time and committed as abovesaid.

To Morrow at eight of the Clock in the Morning those that were nominated by this House to distribute the Money collected for the relief of the Poor, and likewise those appointed by the

Lords, are appointed to be at the Sessions House in the *Old Bayly* to take Order for the said distribution.

Upon a motion made by Mr. *Fettiplace*, the names of such as have not paid towards the relief of the Poor and maimed Souldiers were read, which were about forty four.

On Friday the 18th day of *December*, as the Speaker was coming to the House in the Morning, the Pardon was delivered unto him, which he took and delivered unto the House, which they sent back again because it was not brought according to course.

The Collection for the Clerk of twelve pence a piece according to Mr. *Wingfield's* motion yesterday, was made and amounted to about twenty five pound.

Mr. *Bowyer* Secretary to the Lord Treasurer sitting in the Middle of the House on the left side as you come in next to Mr. *Skipwith* of *Lincolns Inn*, swooned upon a suddain and was again recovered within a quarter of an hour. It was said he had a spice of the Falling Sicknes. He was carried forth of the House by the Serjeant of the same, and three of his men into the outer Room. It was strange to hear the diversity of opinions touching this accident, some saying it was *Malum omen*, others that it was *Bonum omen*, &c. But as God will, so be it.

Thus far of this days passages out of private Journals: some other business of this day doth now follow out of the Original Journal-Book of the House of Commons it self, *viz.*

Mr. Attorney General and Mr. Doctor *Stanhop* did bring from the Lords unto this House two Acts, one intituled An Act of the Queens Majesties most gracious general and free Pardon, and another Act for the granting of four entire Subsidies and eight Fifteenths and Tenths granted by the Temporality before passed in this House.

Mr. Secretary *Cecill* made Report of the meeting and travel of the Committees in the Bill that came from the Lords Yesterday, intituled An Act for reformation of deceits in Auditors and their Clerks in making untrue particulars; and that for the errors in the form of digestion of the same, it is thought not fit in the opinion of the Committees to be any further dealt in at this time, and so resolved of in the Conference had with the Lords.

Mr. *Hackwell* made a Motion that the Speaker might say something touching the transportation of Ordnance, that seeing the Bill in the Lower House is fallen into an everlasting sleep, and that we knew not thereof before this day, he could not be blamed for that which he could not have spoken before this time; but nothing was replied or done.

The Subsidy of the Clergy was sent in a Roll according to the usual Acts, to which Sir *Edward Hobbie* took Exceptions, because it was not sent in a long Skin of Parchment under the Queens Hand and Seal. So it was sent back again, and then the other sent.

On *Saturday* the 19th day of *December* about nine of the Clock the House came together, this day being appointed to be the last day of the Parliament.

M^r Speaker moved the House to know their Pleasures if they should Adjourn the House till one of the Clock, which was assented unto: yet as they were rising,

M^r *Herbert Croft* said, M^r Speaker, though perhaps my Motion may seem unseasonable at this present, yet I beseech the House consider with me a Speech made Yesterday that consisted of four parts, the scope whereof (it being M^r *Hackwell's* Speech) layes open the dangerous mischiefs that come by transportation of Ordnance, and that due reformation thereof may be had for restraint of private transporting; I would only put the House in mind, and you also M^r Speaker, that the Gentleman which Yesterday moved it, desired that M^r Speaker might say something thereof to her Majesty in his Speech to be inserted. Which I do again desire the more earnestly, because our Bill is fallen (as he said) into an Everlasting sleep, and we have now no remedy but by her Majesty.

M^r Speaker said, If it please you, upon the Motion of the Gentleman made Yesterday, I mean to say something therein, both for your satisfaction and performance of my duty; And therefore this matter shall need no further to be moved. With which the House rested well satisfied, and so arose. But it is to be noted, that the Speaker said not one word in his Speech to her Majesty touching that matter, which was greatly murmured at and spoken against amongst

the Burgesſes that the House should be so abused, and that nothing was done therein.

Post Meridiem.

An Act of the Queens Majesties most gracious, general and free Pardon, was sent up to the Lords by M^r Secretary *Herbert*.

The sending up of this Bill of the general Pardon being thus transcribed out of the Original Journal-Book of the House of Commons, the rest of this Afternoons Passages, as also the Conclusion of the Parliament do now follow.

About one of the Clock divers Gentlemen met together at the House, whither the Speaker came, and after the Privy-Council: where sitting till past two of the Clock they went to the Upper House, and stayed there at the Gallery Door above half an hour, and at length the Door was opened; and the Lords of the Upper House being all set, and her Majesty under a rich Cloth of State, the Speaker went to the usual place at the Bar, where after three Reverences made, and the like done in their times by all the Commons, the said Speaker amongst other things in his Speech presented her Majesty in the name of the said House with the Gifts of four Subsidies and eight Fifteenths and Tenths (although he somewhat mistook the manner of it in the delivery) Unto which the Lord Keeper having Answered in her Majesties name with thanks, Dissolved the Parliament, after her Majesty had given her Royal Assent unto nineteen publick Acts and ten private.

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